**Babasaheb Dr. B.R. Ambedkar**

**(14th April 1891 - 6th December 1956)**

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## Nationalism, a Means to an End

*Labour's creed is internationalism. Labour is interested in nationalism only because the wheels of democracy—such as representative Parliaments, responsible Executive, constitutional conventions, etc.—work better in a community united by national sentiments. Nationalism to Labour is only a means to an end. It is not an end in itself to which Labour can agree to sacrifice what it regards as the most essential principles of life.*

—from Dr. Ambedkar's Broadcast
on All India Radio, Bombay
in December 1942.

# DR. BABASAHEB AMBEDKAR
## WRITINGS AND SPEECHES
## Vol. 10

*Edited*
*by*
Vasant Moon

# Dr. Babasaheb Ambedkar : Writings and Speeches

## Vol. 10

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Kumari Selja

**Minister for Social Justice and Empowerment**
**& Chairperson, Dr. Ambedkar Foundation**

# MESSAGE

Babasaheb Dr. B.R. Ambedkar, the Chief Architect of Indian Constitution was a scholar par excellence, a philosopher, a visionary, an emancipator and a true nationalist. He led a number of social movements to secure human rights to the oppressed and depressed sections of the society. He stands as a symbol of struggle for social justice.

The Government of Maharashtra has done a highly commendable work of publication of volumes of unpublished works of Dr. Ambedkar, which have brought out his ideology and philosophy before the Nation and the world.

In pursuance of the recommendations of the Centenary Celebrations Committee of Dr. Ambedkar, constituted under the chairmanship of the then Prime Minister of India, the Dr. Ambedkar Foundation (DAF) was set up for implementation of different schemes, projects and activities for furthering the ideology and message of Dr. Ambedkar among the masses in India as well as abroad.

The DAF took up the work of translation and publication of the Collected Works of Babasaheb Dr. B.R. Ambedkar published by the Government of Maharashtra in English and Marathi into Hindi and other regional languages. I am extremely thankful to the Government of Maharashtra's consent for bringing out the works of Dr. Ambedkar in English also by the Dr. Ambedkar Foundation.

Dr. Ambedkar's writings are as relevant today as were at the time when these were penned. He firmly believed that our political democracy must stand on the base of social democracy which means a way of life which recognizes liberty, equality and fraternity as the principles of life. He emphasized on measuring the progress of a community by the degree of progress which women have achieved. According to him if we want to maintain democracy not merely in form, but also in fact, we must hold fast to constitutional methods of achieving our social and economic objectives. He advocated that in our political, social and economic life, we must have the principle of one man, one vote, one value.

There is a great deal that we can learn from Dr. Ambedkar's ideology and philosophy which would be beneficial to our Nation building endeavor. I am glad that the DAF is taking steps to spread Dr. Ambedkar's ideology and philosophy to an even wider readership.

I would be grateful for any suggestions on publication of works of Babasaheb Dr. Ambedkar.

**(Kumari Selja)**

# Collected Works of Babasaheb Dr. Ambedkar (CWBA)

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# FOREWORD

This volume of the Writings and Speeches of Dr. Ambedkar contains excerpts from the proceedings of the Legislative Assembly, and texts of his speeches on various issues connected with measures to ameliorate the conditions of Indian labour. They reveal literary flourishes and arresting originality seldom seen these days.

The proceedings of the legislature in the 40s, when Dr. Ambedkar was Labour Member of the Government of India provide a refreshingly educative experience that elevates and uplifts. The speeches and remarks of Dr. Ambedkar contained in this volume bear the unmistakable stamp of his deep scholarship and profound understanding of labour problems.

The second world war transformed the economy. It provided opportunities for expansion of industries. While entrepreneurs and managers could hope for prosperity, labour was not given its due share. Dr. Ambedkar piloted and introduced measures for labour welfare.

The spirit of his philosophy could be summed up in his own words from the speech delivered on September 15, 1943 in the first session of the Plenary Labour Conference : "For a long time the conviction had gained ground that the industrial labour welfare problems could not be solved unless the three parties—Government, employees and employer—developed a sense of responsibility towards one another, showed more respect for one another and agreed to work in a spirit of give and take, and that there was not much chance of such a sense of mutual respect

and responsibility growing up. A plan to bring them together and to let them talk to each other across the table was felt to be necessary for the realisation of this purpose."

The progressive labour policies adopted in free India owe much to the measures introduced by Dr. Ambedkar in the forties. He placed great emphasis on technical training and upgradation of skills. Skills, important in industrial growth, are slow to acquire. Progress by peaceful means is always a slow process. In an ancient country like India, with distinct lack of a social conscience, progress is bound to be slower. Dr. Ambedkar advocated change in our outlook. He also advocated that independence to be meaningful must be accompanied by good Government and a good society.

Labour in India has been largely exploited. The efforts of Dr. Ambedkar were directed towards bringing the workers under the protective umbrella of social security. His contribution to the discussions on Workmen's Compensation Act, Maternity Benefit Act, etc., are of lasting importance.

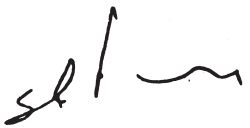
Dr. Ambedkar found time to inspect the conditions in the coalfields. He went 400 feet underground to see the operations in the coal and mica mines. This concern for the working classes, particularly in the coal mines, manifested itself in the Coalmines Labour Welfare Ordinance in 1944. It is indeed instructive to read his speeches on different aspects of labour welfare.

Dr. Ambedkar is remembered as the maker of the Indian Constitution. His contributions to economic policy are not known generally to the present generation of his countrymen. This volume contains his speech on the multi-purpose development of Damodar Valley. The speech brings out his intimate understanding of the pressing economic problems of the country. It is a tribute to his far-sightedness that he advocated development

of water resources as could be seen from his thinking on the multi-purpose plan for development of Orissa rivers. Internal navigation was a key to the improvement in the transport system. His non-conventional approach to the problems of flood-control, navigation, irrigation and drainage, soil conservation and power developments reveals the modern and scientific mind of Dr. Ambedkar.

As Labour Member, Dr. Ambedkar studied the working of the Government of India. In a speech on Paper Control Order, he informed the Legislature that 149 forms were suspended during the war and 190 forms were abolished. He reduced the sizes of the forms and made the Government of India aware of the avoidable paper work. It is difficult to change the ways of the Government.

The Writings and Speeches in this volume contain valuable material of contemporary relevance. The lay reader, the practical administrator, the research scholar, the labour lawyer, the labour leader, the economist and the student of history, all have much to study and to reflect in these pages.



Bombay
June 10, 1991

**Sharad Pawar**
Chief Minister of Maharashtra

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# NOTE ON EDITING

Dr. Ambedkar held the portfolio of labour in the Viceroy's Executive Council during 1942-46. This volume comprises his speeches in the Central Legislative Council which have been compiled from the official debates. In addition to the speeches, the questions and answers relating to Dr. Ambedkar are also incorporated.

Dr. Ambedkar had addressed several conferences outside the legislature concerning the problem of Indian labour. Details of these conferences and the speeches of Dr. Ambedkar given on the occasions were not available anywhere else except in the issues of the official magazine of the Government of India called 'Indian Information'. The files of this magazine were traced in the Gokhale Institute of Political science and Economics, Pune. The files, however, do not contain the issues for July to December 1942, i.e. for 6 months, the early period of Ambedkar's charge of the portfolio. One speech of this period delivered at the Boat Club, Delhi by Dr. Ambedkar on Labour and Parliamentary Democracy was made available by Shri R. T. Shinde of Bombay.

Dr. B. D. Phadke brought to our notice few documents from the Transfer of Power volumes which are related to Dr. Ambedkar. On verification of all the 12 volumes from the Sachivalaya Central Library and the Legislative Council Library, substantial number of documents could be secured and are included. These documents show Dr. Ambedkar's urge for ensuring safeguards for the Scheduled Castes in the new Constitution without hampering the process of achievement of freedom.

Several other documents were sought from Khairmode collection of the Bombay University Library, Dr. Ambedkar Research Institute, Nagpur and the papers received by the Government of Maharashtra from the Administrator General of the Government of Maharashtra, Bombay.

The work of the Editorial Board has been made possible by the ready help and support it received:

* first from the Ex-Chief Minister of Maharashtra Shri Sharad Pawar who encouraged us throughout our work;
* next, from the Minister and Minister of State for Education;
* from the Librarian of the Gokhale Institute of Politics and Economics, Pune;
* from the Librarian of the Legislature Library, Bombay;
* from the Librarian of the Bombay University Library;
* from the Librarian of the Sachivalaya Central Library;
* from Shri R. T. Shinde of Bombay;
* from Dr. Babasaheb Ambedkar Research Institute, Nagpur ;
* from Shri P. S; More, Director, Govt. Printing and Stationery, Shri P. L. Purkar, Manager, Shri U. S. Sonawane and Shri R. J. Mahatekar, Dy. Managers, Shri A. K. Rao, Asstt. Manager, Shri J. S. Nagvekar, Operator Film Setter, officers and staff of the Government Central Press, Bombay;
* from Shri Pradeep Tayade who spared the coloured photograph of Dr. Ambedkar;
* from Shri Salil Waghmare and Mrs. S. M. Newarekar of the O.S.D.'s office, who worked beyond the call of their duties ;

To all of these, the Editorial Board is deeply grateful. Last but not the least, we acknowledge our gratitude to the Editors of 'The Indian Information', 'The Legislative Assembly Debates' of the Government of India and 'The Transfer of Power'.

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# Part I

## Speeches

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# 1

## *Dr. B. R. Ambedkar*
## *A Biographical Sketch*

### * Who's Who in Viceroy's Council

Thirty years ago, a Mahar youth viewed the golden vista of opportunity opened up by education and decided that his life's work should be a crusade against the social system which declared him and his kinsmen untouchables whose very shadows polluted high caste Hindus in their vicinity. Today, Dr. Bhimrao Ramji Ambedkar holds the portfolio of Labour in the Viceroy's Executive Council, but he still feels that his first duty is to the millions in India who belong to the so-called Depressed Classes and that no considerations of personal well-being or ambition should come in the way of his leading them to emancipation.

Those who know of his attacks on the Hindu social system and of his differences with caste Hindu leaders will certainly feel that he is a much embittered man. But to one who has heard him tell of his career and antecedents, the wonder is that he is not even more bitter and that he has managed to crowd into a life devoted so largely to his crusade against untouchability so many interests, and to study a great variety of subjects with so much distinction.

One naturally asks : How did this untouchable manage to acquire any sort of education ? The answer is simple. His community—the Mahars—are cultivators, village servants and soldiers. They once supplied the Bombay Army of the East India Company with its manpower, just as the Dusads of Bihar and the Pariahs of Madras manned the armies of the Company in those Provinces. Then sepoys were given education in the Army, and Subedar Ramji Maloji Ambedkar, Dr. Ambedkar's father, had once been a teacher in an Army school.

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* Indian Information, March 1, 1943, pp. 194-95. *This article was published under the caption 'Personalities'. Name of the author is not printed on the article.*—Ed.

## Early Education

Had the recruitment of Mahars to the Army not been stopped in 1892, it is possible that the Subedar's son would have followed the profession of arms as well, but things were to be otherwise. Realising the value of education, the Subedar did his best to educate his sons. This called for great effort. Schools refused to admit the children of a Mahar, and from his native district of Ratnagiri he went to Satara and later to Bombay, where he finally settled. At one stage he had to decide which of his two sons he could afford to keep at school, and he chose the youngest boy, now the leader of the Depressed Classes.

That youth learnt early what it was to be an untouchable. He was born in 1893* at Mhow in the comparatively democratic atmosphere of a military station, but as a child went to the Bombay Presidency. He remembers going to school in Satara carrying a piece of gunny cloth to squat on in a corner of the classroom. The school servant would not touch the cloth, which young Ambedkar carried to and fro every day. He could not touch the school tap and could only quench his thirst if the school peon was there to open it for him. At home his sisters did the family washing as no *dhobi* would wash their clothes, and also cut their brothers' hair.

One incident stands out very clearly in his memory. Once he, his elder brother and his little nephew set out to meet their father at some town off the railway line. No cartman would carry them on the last stage of their trip and they had eventually to pay double the fare to drive a cart themselves. The appetising meal prepared for the way was completely spoilt as they had no water to drink and nobody would give them any.

## Help From Baroda Ruler

In due course B. R. Ambedkar finished school and joined the Elphinstone College at Bombay. Half way through his university course, his father ran out of funds and a friend took the young undergraduate to the Gaekwar of Baroda who gave him a scholarship which enabled him to secure his degree.

After graduating, B. R. Ambedkar went to thank the Gaekwar, and to his surprise was asked if he would go overseas for further studies.

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* *According to the biographers of Dr. Ambedkar, his date of birth is 14th April 1891 as per school register at Satara where he had had his primary education.*—Ed.

He jumped at the offer and it was arranged that he should go to the Columbia University of New York. During the months of waiting before sailing for America, the Gaekwar advised Ambedkar to try the profession of his fore-fathers and made him a Lieutenant in the Baroda State Forces.

At the Columbia University, he studied Economics, Sociology and Political and Moral Philosophy, securing his Master's degree and a Doctorate in Philosophy. In 1917 he went to London and carried on research in the India Office Library and at the London School of Economics, besides joining Gray's Inn.

Returning to India, he offered his services to the man who had helped him and was appointed a probationer in the office of the Accountant-General of Baroda.

**Experiences In Baroda**

Dr. Ambedkar had been several years abroad and made many friends, Indians, Europeans and Americans, who had not treated him as an untouchable. The feeling that he was one of the downtrodden had thus been erased from his mind. Now it all returned painfully as he went to Baroda to start work. Where was he, a Mahar, to stay ? He persuaded a Parsi innkeeper to board and lodge him. Luckily there were no other lodgers, but after ten days a number of Parsis armed with lathis called on him, asked what he meant by defiling a hostel reserved for their community and told him to quit by that very evening.

He appealed to two friends, one a Hindu and the other a Christian, for shelter. The first said, "If you come to my home my servants will go." The second friend wanted to consult his wife, and Dr. Ambedkar, knowing that husband and wife came of orthodox Brahmin stock and that the latter still suffered from inhibitions regarding caste, decided to return to Bombay.

There he became Professor of Political Economy in the Sydenham College of Commerce. But he longed to complete his studies in England. He supplemented his salary by private tuitions, saved every pie he could and after a year or two rejoined the London School of Economics. He obtained the coveted D.Sc. at London for a thesis on "The Problem of the Rupee" and was called to the Bar. His desire to study at a German University took him to Bonn, but the fall in the exchange led him to return to India without a degree.

He had now decided to practise Law rather than serve under Government or in a University, as he would then be completely free to work for the untouchables.

## Close Association With Depressed Classes

His early fears that the prejudices of the caste Hindu solicitors and pleaders on whom he would depend for briefs, would bar his progress were not justified and he built up a good civil appellate practice in Bombay. The Universities of Bombay and Nagpur and the Bombay High Court offered him examinerships in law and he was for a time Professor and Principal of the Government Law College in Bombay. Tempting offers of judicial appointments, with the prospect of a life far removed from political turmoil, he has turned down.

For ten years the untouchable Barrister and Professor lived in one of the Bombay Development Department's *chawls* at Parel. These chawls are big five-storeyed buildings, each containing about 100 one-room tenements. They possess no modern conveniences, each floor having a single lavatory and a single tap for bathing, washing and cleaning cooking utensils. Most of the tenants are millhands earning on an average Rs. 25 per mensem.

Living under these conditions, Dr. Ambedkar acquired a firsthand knowledge of life among the workers of Bombay. It is his boast that hundreds of millhands know him personally and have sought his advice and assistance. He has thus gained the confidence of many workers and established his leadership of the Depressed Classes in his campaign against untouchability.

## Campaign Against Untouchability

That campaign has been marked by two outstanding events. The first was the Chowdar Tank Satyagraha in Mahad (Kolaba District) when he organised mass demonstrations by members of the Depressed Classes to assert their right to take water from a certain tank. Heads were broken when the untouchables drew water and Dr. Ambedkar was compelled to accept the protection of the police, but the untouchables gained their point. More important still, a great feeling of *esprit de corps* was awakened among them and a sense of their dignity as human beings, which was to carry them further along the road to emancipation.

Encouraged by their success, the untouchables decided to fight for the right to enter the most sacred temple in the sacred city of Nasik.

For over five years they offered satyagraha at the Kalaram Temple. They obstructed pilgrims at the great annual fair to such an extent that the fair could not be held, and they bathed at a *ghat* which, till then, had been closed to them, thereby "polluting" the waters of the sacred Godavari. Many, including a large number of women, went to jail, and although the untouchables were not given the right to enter the Temple, by the time the satyagraha was called off, they had shown that they could unite and had given the caste Hindus a bit of a jolt in no way tempered by their threat to sever their connection with Hinduism once and for all.

**Political Activities**

As the leader of the untouchables, Dr. Ambedkar has been prominent in politics. He was nominated to the Bombay Legislative Council in 1926, and eleven years later, elected to the Bombay Legislative Assembly as the representative of the Scheduled Castes from the city of Bombay. He fought for his people at the three Round Table Conferences in London and on the Joint Parliamentary Committee which drafted the Bill on which the Government of India Act of 1935 is based.

The most notable incident in his political career was his conflict with Mr. Gandhi over safeguards under the new Constitution. Dr. Ambedkar claimed certain political safeguards for the Scheduled Castes. As a protest against the provision which the British Government were about to make for safeguards, Mr. Gandhi started a fast to death. The result of the struggle was that Dr. Ambedkar and Mr. Gandhi agreed, under what is known as the Poona Pact, to joint electorates with reservation of seats for untouchables in elections to the Lower Houses of the Provincial Legislatures under the new Constitution.

At the first elections under the new Act, Dr. Ambedkar organised his followers in his own Province of Bombay and, to a lesser extent, in the Central Provinces. In Bombay, his Independent Labour Party secured 11 of the 15 seats reserved for the "Scheduled Castes." In the Ratnagiri District, caste Hindu candidates put up by his Party actually captured two seats *not* reserved for the Depressed Classes. In the Central Provinces, most of the successful Depressed Class candidates were non-Congressmen and followers of Dr. Ambedkar.

## Stigma Of Untouchability

Even as a figure of national importance, Dr. Ambedkar does not escape the stigma of untouchability. In 1929, while serving on a committee investigating certain grievances of the untouchables, he visited Khandesh District, and at a place called Chalisgaon was welcomed by the local Mahars. After a long delay at the station he was put into a *tonga* and driven in the direction of the Maharwada, the Mahar quarters. The driver of the *tonga* was lamentably inexpert and at a culvert the horse bolted and Dr. Ambedkar was thrown on to the stone pavement and seriously injured. He then learnt that the untouchables had great difficulty in getting a *tonga* and that, as no *tonga* driver would drive him, one of the Mahars took the reins, not thinking of the risk to his leader.

As recently as 1934 Dr. Ambedkar and some of his fellow workers visited Daulatabad Fort in the Nizam's Dominions while on a sightseeing tour. They reached the Fort covered with dust and unthinkingly took water from a tank to wash. While they were getting permission to go round, an old Mohammedan ran up and raised an outcry, shouting, "The Dheds (untouchables) have polluted the tank." The situation became serious and, exasperated by the attitude of the Mohammedans. Dr. Ambedkar asked : "Is that what your religion teaches ? Would you prevent an untouchable from taking water from this tank if he became a Mohammedan ?" That silenced the crowd, but the untouchables were only allowed to go round the Fort with an armed soldier who saw that they did not "pollute" water anywhere else.

His life's experiences have shown Dr. Ambedkar that, while caste and untouchability are of Hindu creation, India's Mohammedans, Parsis and Christians are not wholly free from Hindu inhibitions on the subject. During his long struggle he has found valuable companionship in a world which denies none of its treasures to the outcast among men—the Common-wealth of Letters.

## Literary Activities

No one who has seen Dr. Ambedkar at home can fail to be struck by the number and variety of the volumes which fill his bookshelves and lie on the tables around him. Books of every kind, but more especially works on constitutional law, politics, economics and sociology, appeal to him.

His own writings include "The Problem of the Rupee", "Provincial Finance in British India", "Annihilation of Caste", "Federation *versus* Freedom" and "Thoughts on Pakistan."

He has conducted Marathi newspapers to awaken the untouchables politically. In 1919* he started the "Muka Nayak" ("Leader of the Dumb",), but this died a natural death soon after he left to resume his studies in Europe. In 1923@ he started the "Bahiskrata Bharat" ("Excluded India"), a title which was changed to "Janata" ("The People") some years ago as he felt that its appeal should not be solely to the communities composing "Excluded India."

## Attitude To Religion

A word should be said about Dr. Ambedkar's attitude to religion. He feels that the Hindu social system, with its four castes and a great mass of outcasts, has been a source of weakness to India as a whole and he docs not wish to remain within its fold.

Some years ago the *Jat Pat Todak Mandal,* a reformist Hindu organisation, invited him to preside over their annual conference. Later the conference was cancelled as his draft presidential address, in which he stated that it would be his last speech as a Hindu, was not acceptable to the *Mandal.* He published that undelivered speech as a booklet "Annihilation of Caste." Its title shows his attitude to caste.

But, while he is determined not to remain a Hindu and has studied the teachings of several other religions, including Buddhism, Sikhism and Christianity, Dr. Ambedkar will not yet announce his entry into another faith. The untouchables, he feels, still need him. His conversion now would have far-reaching repercussions. His faith and the faith of every follower of his is a matter which each man should settle for himself; and he docs not wish to influence his followers in this matter. When he has handed over the leadership of the untochables to others and retired from public life, he will tell the world of his decision. For the present his crusade must go on.

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* *Should be 1920.*—Ed.

@ *Should be 1927.*—Ed.

# 2

## * Appointment as Labour Member of the Viceroy's Council

[*Dr. B. R. Ambedkar joined as Member of the Viceroy's Council on the 20th July 1942. He was asked to look after the portfolio of Labour. The appointment letter issued by His Majesty's office in this regard reads as under* :—Ed.]

GEORGE R. I.

George the Sixth by the grace of God of Great Britain, Ireland and the British Dominions beyond the seas, King Defender of the Faith, Emperor of India.

To our Trusty and Well Beloved *Bhimrao Ramji Ambedkar,* Esquire, Doctor of Science, Barrister-at-Law.

GREETING !

We do by this, Our Warrant Our Sign Manual, appoint you, the said Bhimrao Ramji Ambedkar to be, during Our pleasure, a Member of the Executive Council of Our Governor-General of India.

(II) And we do hereby appoint that so soon as you shall have entered upon the duties of your office, this our warrant shall have effect.

Given at our Court at St. James', this ninth day of July in the year of our Lord, one thousand nine hundred and forty-two and in the sixth year of our Reign.

By His Majesty's Command

Sd/- L. S. Amery.

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* Khairmode C. B., Dr. Bhimrao Ramji Ambedkar (Marathi Biography), Vol. 9, 1987, p. 113 (Published by Maharashtra Rajya Sahitya Sanskruti Mandal, Bombay).

*Dr. Ambedkar was already nominated as member of the National Defence Council vide Government Communique, dated 21st July 1941.*—Ed.

# 3

# * The Need for Uniformity in Labour Legislation

[*Here is the full text of speech delivered by the Hon'ble Dr. B. R. Ambedkar, member for Labour, Government of India, at the Joint Labour Conference in New Delhi on friday, August 7, 1942.*]

"I have great pleasure in welcoming you to this tripartite Labour Conference. I can hardly convey to you adequately the sense of gratitude which I and the Government of India feel for the ready response which you have given to our invitation and the trouble that you have taken to be present here this morning. I hope and trust that this ready response on your part will be followed by an equally willing cooperation in making this conference a success and in carrying through its purposes to fruition.

I do not wish to detain you long; these are days of grave emergency and I realise that everyone must return to his post as soon as he can. I will not, therefore, make any lengthy speech on this occasion but will contain myself with touching upon a few points with a view to bringing home to you the significance of the conference and to state its aims and objects.

## TWO SPECIAL FEATURES

As you know there have been so far three Labour Conferences held in New Delhi under the auspices of the Labour Department of the Government of India. The first one was held on January 22 and 23, 1940, the second on January 27 and 28, 1941, and the third on January 30 and 31, 1942. The present conference is thus the fourth of this series. You will realise the significance of this conference better if I tell you in as few words as I can the special features which mark off this Conference from the previous ones. In the first place, although the

* Indian Information, September 15, 1942.

previous Conferences met regularly at certain fixed periods, permanency was not a part of the plan of those conferences. There could have been a break in their regularity and the idea could have been abandoned without doing violence to any rule or convention or understanding. The present conference has permanancy as a part of its plan. The organisation that we want to set up will have the permanancy and regularity of a standing committee, ready to function when called upon to do so.

More important than this feature of the conference is the second feature to which I want to draw your particular attention. It relates to the composition of the conference. The previous conferences were representative of Governments only—the representatives of the Central Government, Provincial Governments and some of the Indian States' Governments—formed the only constituents of the conference. The most necessary and the most important elements, namely, the Employers and the Employees, were not represented at these conferences. Care was no doubt taken to establish contact and even to consult the organisations representing the Employers and the Employees. For instance, my distinguished colleague the Hon'ble Sir. A. Ramaswani Mudaliar, when he was the member in charge of Labour, did take occasion when he visited Calcutta to meet the representatives of Labour and of employers.

Similarly, my distinguished colleague, the Hon'ble Sir Firoz Khan Noon, to whom we owe the project of the present conference, did in his tenure of office as Labour Member seek occasion to take counsel with the organisations of Employers and Employers. It is for the first time, however, in the history of these Labour conferences that the representatives of the Employers and the Employees have been brought face to face within the ambit of a joint Conference. To my mind this is a feature of the conference which should find a very ready welcome from all concerned and particularly from the representatives of the Employees. Ever since the Witley Commission, in its Report on Labour in India, put forth the proposal that there should be established in India as a permanent body an Industrial Council, the representatives of Labour have agitated for effect being given to that recommendation. For various reasons it did not until now become possible to realise the ideal of an Industrial Council. I do not claim that the proposal

which this conference is called upon to give effect to amounts to a complete realisation of that cherished ideal. But there can be no doubt that this Conference seeks to pave the way towards the realisation of that ideal, and I am sure you will not deem it an exaggeration if I say that it marks a long stride on the road which leads to that goal.

## LABOUR LEGISLATION

I will now say a word or two with regard to the aims and objects of this Conference. Some of you who arc familiar with the proceedings of the previous conferences will know that one of the primary objects which brought those conferences into being was the great desire to avoid the danger arising out of the diversity in Labour Legislation with which this country was threatened as a consequence of Provincial independence in Labour legislation.

So long as the Government of India was a Unitary Government, uniformity in Labour legislation was not difficult to obtain. But the federal constitution created by the Government of India Act of 1935 by including Labour legislation in the Concurrent Legislative List had created a very serious situation. It was feared that if there was no central legislation each Province might make a particular law specially suited to itself, but different from that of its neighbour by allowing Provincial considerations to dominate over considerations of general and national importance.

## THREE MAIN OBJECTS

The conferences were called to supply a most necessary corrective to this tendency and to foster among Provincial Governments a regard for the wholesome principle of uniformity in Labour legislation. In constituting this conference I do not propose to abandon this object of uniformity in Labour legislation with which the three previous Conferences were mainly concerned. It will remain one of the object which the Conference will pursue. But to this I would like to add two other objects, namely, the laying down of a procedure for the settlement of industrial disputes and the discussion of all matters of all-India importance as between Labour and Capital. Our Conference will have, therefore, three main aims and objects :—

(i) the promotion of uniformity in Labour legislation;

(ii) the laying down of a procedure for the settlement of industrial disputes; and

(iii) the discussion of all matters of all-India importance as between employers and employees.

In regard to the first it is unnecessary to say why we have included it in our aims and objects. Uniformity in Labour legislation can never cease to be a matter of importance to so large a country like India with its many administrative and provincial jurisdictions. It must therefore, continue to occupy our attention in the future as it has done in the past.

## INDUSTRIAL DISPUTES

As to industrial disputes both Labour and Capital have, once in war, behaved with a sense of responsibility and the number of strikes that have taken place has not been on a very extensive or disturbing scale. There was some tendency at the beginning of this year for an increase in industrial unrest, but the laying down of a procedure for adjudication of disputes under the Defence of India Rule 81-A has resulted in some reduction in recent months. That procedure will, we hope, prove an efficient and a reliable machinery, but it is a procedure for the settlement of industrial disputes as one of the aims and objects of the Conference which we propose to set up.

In designing the last item included in our aims and objects we have deliberately used wide language so as not to exclude from the deliberation of the Conference anything that is of importance to labour and capital. But I like to tell you what we have in mind in employing..... this broad expression "matters of all-India importance." We want to include in it all matters relating to Labour Welfare and the maintenance of Labour morale. So understood, I need hardly say this object, though placed last, may be regarded as the highest in importance. We certainly regard it as most urgent. The urgency I need hardly say is due to the necessities of the war.

## A WAR OF SUPPLIES

The present war is a war of supplies and supplies depend upon peace in industry. How to secure peace in industry is a pressing problem for us today. I may not be wrong if I say that peace in industry depends

upon two things. In the first place, it depends upon the existence of the machinery ready at hand for the quick settlement of industrial disputes. Secondly, it depends upon the prompt removal of all such conditions in industry which may fray tempers and bring about a deterioration in the morale of people engaged in it. But there remain a large number of questions which are too small to lead to an industrial dispute, but which are big enough to raise temper. Most of those matters which are liable to raise tempers relate to what in ordinary parlance is disignated as matters affecting social welfare. For dealing with such problems we have no machinery, and it is mainly the necessity to provide immediately a machinery for advising Government as to how such matters should be peacefully and satisfactorily dealt with that has led Government to institute this Conference forthwith.

## THE TASK AHEAD

Such is the significance of this Conference and such are its aims and objects. Now as to the task before this Conference you will perhaps find our agenda to be a very meagre fare. There is no much meat in it. But that is unavoidable. We cannot place before you any agenda other than the one we have placed until we have reached a decision on the preliminary question as to whether we agree upon the plan of having such a conference and what its constitution should be. That being the position, all I can do today is to call upon you to decide upon the following matters :—

(1) The desirability of establishing a Labour conference a permanent organisation to meet at least once a year;

(2) The desirability of instituting a Standing Advisory Committee of this Conference which would meet, whenever Government thought it necessary to invite them to meet and to advise Government on matters placed before it; and

(3) Defining in general terms the procedure for the constitution of these bodies.

As regards the constitution of these bodies, it may be desirable for me to place before you the plan which, we think, is best suited for the purpose of a tripartite conference like this.

## PLENARY CONFERENCE

We propose to constitute two bodies :—

(1) a Plenary Conference, and (2) a Standing Advisory Committee.

The Plenary Conference will be composed of representatives of the Central Government, of Provinces, of States, of employers and of employees. In general, each Province or large State will be entitled to be represented, and those States not individually represented would be represented by a nominee of the Chamber of Princes. Representation would also be given to the main associations of employers and employees, and it would also be open to Government to nominate representatives of classes of employers or employees who in their opinion were not otherwise adequately represented. It would not in the case of the Plenary Conference be possible to ensure that the representation of employers and employees should be equal to that of Government representatives.

## STANDING ADVISORY COMMITTEE

The constitution of the Standing Advisory Committee would be more rigid, and as you will sec from the text of the resolution that will be placed before you that we propose to distribute the representation as follows :—(1) representatives of the Government of India, (2) representatives of Provinces, (3) representatives of States, (4) representatives of employers and (5) representatives of employees, with the Labour member of the Central Government as Chairman.

In suggesting this constitution for the Standing Advisory Committee we have followed as closely as we can the principles underlying the constitution of the Governing Body of the International Labour Office which was set up under the auspices of the League of Nations. There are three principles which to my mind underlie that constitution. First, equality of representation between Government and Non-Government representatives. This is illustrated by the provision contained in article 7, Clause 1, whereby out of 32 representatives 16 represent Governments and 16 represent employers and workers. We have given effect to this principle by giving 10 seats to Government and 10 seats to Industry.

The second principle is equality of representation as between employers and employees. This is provided by the same Article

whereby the 16 Non-Government seats are divided equally between employers and employees. We recognise this by distributing the 10 seats allotted to Industry equally between employers and employees.

## THE THIRD PRINCIPLE

The third principle is an assurance of representation to certain interests by reservation. This will be found in Article 7 which by clause (2) reserves 6 out of 16 Government seats to Non-European States and by clause (4) reserves two seats from the quota of employers' seats to Non-European States. We propose to adopt this principle by allowing one representative from the quota of each, employers and employees, to be nominated by the labour Member of the Central Government. This will ensure some representation of interests other than those represented by the main employers and employees' organisations. I have the justice and fairness of these proposals will appeal to you and that you will not find any difficulty in giving them your approval.

We are setting up these bodies at the centre, but as you know very well Labour is much more concerned with Provincial Government than with the Central Government, and it seems to me that a body set up at the top will require to be supported from the bottom, and therefore if Provincial Government would desire to set up similar bodies in their own provinces to deal with question with which the Central Organisation would deal, I give on behalf of the Central Government an assurance that we should undoubtedly encourage any suggestion on this general point."

## PLENARY LABOUR CONFERENCE AND STANDING COMMITTEE TO BE SET UP

A resolution setting up a Plenary Labour Conference and a Standing Committee was unanimously adopted at the Tripartite Labour Conference.

The Conference was attended by nearly 50 delegates, representatives of the Central and Provincial Governments, of certain States and of all important organisations of workers, and was opened by the Hon'ble Dr. B. R. Ambedkar.

Representatives of employers and workers were in full agreement with the objects of the Conference.

Mr. V. V. Giri, President of the All-India Trade Union Congress, welcomed the institution of the Conference and hoped that it would busy itself, not merely with discussions but with the question of the advancement of labour conditions and of peace in industry.

Mr. Jamnadas Mehta, President of the Indian Federation of Labour, remarked that the method of the conference should ensure peace and contentment in industry particularly at this critical period.

Sir A. R. Dalal and Mr. Sri Sri Ram, the presidents of the two all-India associations of employers, led their respective delegations. Representatives of the Chamber of Princes, and of Hyderabad, Baroda and Gwalior also took part in the discussions. All the delegates welcomed whole-heartedly the participation of the Indian States.

The Plenary Conference will consist of 44 members with the Labour Member of the Government of India as Chairman. Twenty-two members will represent various Governments, 11 workers and 11 employers.

Similarly the Standing Committee, consisting of 20 members with the Labour Member as its Chairman, will have equal numbers of representatives of Government on the one hand, and of employers and workers on the other.

The Hon'ble the Labour Member, who also presided at the conference, accepted on behalf of the Government of India the principle that representatives of all organisations of employers and workers should be appointed in agreement with such organisations.

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# 4

## * Election of a Member to the Advisory Committee for the Utilization Branch of the Geological Survey of India

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : Sir, I move:

> "That this Assembly do proceed to elect, in such manner as the Honourable the President may direct one representative of the Assembly to serve on the Advisory Committee constituted by the Government of India, to advise on problems connected with the work of the Utilization Branch of the Geological Survey of India."

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

> "That this Assembly do proceed to elect, in such manner as the Honourable the President may direct one representative of the Assembly to serve on the Advisory Committee constituted by the Government of India, to advise on problems connected with the work of the Utilization Branch of the Geological Survey of India."

† **The Honourable Dr. B. R. Ambedkar :** It is quite true that my Honourable friend had not the benefit of hearing my maiden speech. I have made many speeches in my life and I do not think I shall be afraid of making a maiden speech.

My Honourable friend pointed out that the reason why I did not speak in support of the Resolution is because there is something very dark which the department is not prepared to disclose to this House. I can assure the Honourable member that I do not think that there is anything behind this project which cither myself or the Government of India need be ashamed of. When I put forward this motion, I thought that it would go through in the usual way in which such motions arc treated and if I had the slightest inkling that my friend was going to raise these points, I would certainly have posted myself on these questions. (***An Honourable Member*:** "You must know the procedure of the House.") Well, I am a new man and I expect from this House a little more charity.

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* Legislative Assembly Debates (Central), Vol. LI, dated 14th September 1942, p. 76.

† *Ibid.,* pp. 78-79.

If my friend must have the information which he wants before he can allow this motion to go through, then my suggestion is that this debate may be adjourned to a later date when I shall be in a position to give my Honourable friend the information he wants.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member (Mr. Neogy) can get all the information he wants by putting down a question, but, I suppose it is the desire of the House that this motion should be postponed.

(Voices : "Yes".)

The motion is postponed.

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# 5

## The Situation in India

**Mr. President** (The Honourable Sir Abdur Rahim): The House will now resume discussion of the motion :

"That the situation in India be taken into consideration."

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*** The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, the debate on the motion that has been going on for the last two or three days reveals that there are two definite points of view presented by the Members of this House. There is one point of view which holds that the action taken by the Government by arresting the members of the Congress and in suppressing the violent movement that has sprung up was not justified. There is one section of the House which holds that the action taken by the Government is perfectly justified. In a situation like this it might be well for Government to say that it is unnecessary for them to intervene in this debate for the simple reason that one side of the House cancels the other, but it seems to me, from what my Honourable colleague, the Member for Law, has said, that it would not be proper for Government Members and, particularly, the Indian Members of the Executive Council to allow this matter to rest there. Rather than let the burden remain on the shoulders of one section of the House, I think it is very necessary that the Members should take the burden upon themselves, and I, therefore, propose to deal with some of the points that have been made by that section of the House which thinks that the action was not justified.

The points that have been raised evidently fall into two categories; some points arc particular in their significance and in their nature; some points are of general importance and although it might be desirable for some of us not only to deal with the particular points but also with the general points, time, I am afraid, is so short that one has to make his

* Legislative Assembly Debates (Central), Vol. III, 18th September 1942, pp. 281-87.

selection in meeting some of the charges that have been levelled. I, therefore, propose to offer my remarks only on two charges which have been levelled by the party opposed against the Government.

Sir, the critics of Government have said that the Government were not justified in arresting the members of the Congress and if I understand the argument correctly, the argument seems to be that Congress is a body which believes in non-violence and that if the Congress had been allowed to be free they certainly would have controlled the situation in such a manner that they would have prevented violence from emerging. It seems to me that the Members who take that line have not correctly read what has happened to the Congress and the members of the Working Committee during the last two years with regard to the principle of non-violence. Sir, as I read the proceedings of the Congress during the last two or three years, the impression that has been left upon my mind is that there has been a terrible landslide in the principle of non-violence as has been proclaimed by the Congress. The non-violence has been deeply buried—I have no hesitation on that point at all.

Let me give the House a few facts. Sir, on the 22nd of December, 1939, the Congress first gave the threat of civil disobedience. On the 19th March, 1940, the Congress had its Annual Session at Ramgarh. At the Annual Session Mr. Gandhi was made the dictator and given sole charge to lead the struggle. Mr. Gandhi became the Commander-in-Chief under that resolution. But on the 22nd of June, 1940, barely within three months, Mr. Gandhi was deposed from his place as a Commander-in-Chief. The Working Committee refused to accept the principle of non-violence as a guiding principle for its action, and Mr. Gandhi had to tender his resignation.

**Dr. P. N. Banerjea** (Calcutta Suburbs : Non-Muhammadan Urban): That was with regard to the war.

**The Honourable Dr. B. R. Ambedkar :** Please do not disturb me.

On the 15th December, 1940, the All-India Congress Committee met in Bombay and there a resolution was passed by which Mr. Gandhi was again made the Commander-in-Chief and requested to carry on the struggle. Mr. Gandhi continued to be the Commander till December 1941. In December 1941, a Working Committee meeting was held in Bardoli and a resolution was passed again deposing Mr. Gandhi.

The important feature of the incident that took place in December 1941 is, I think, not quite well-known to the Members of this House. There was a great schism at Bardoli between Mr. Gandhi and his followers who believed in non-violence out and out, and the other members of the Working Committee who did not believe in non-violence. The matter was put to issue at Wardha at a meeting of the All-India Congress Committee. Everybody in India, certainly the members of the Working Committee, expected that Mr. Gandhi would push the issue to a decision and cither have the Working Committee's resolution passed at Bardoli rescinded or, if it was not possible for him to do so, tender his resignation. One of the most astounding things that Mr. Gandhi did at Wardha when the resolution came up for ratification before the All-India Congress Committee was that the apostle of non-violence instructed his followers not to carry the matter to a division. Not only that, he continued to associate himself with the Working Committee and continued to be its Commander-in-Chief. Sir, if that is not evidence that the Congress was saturated with a spirit of violence, right under the very nose of the Congress—Mr. Gandhi—I do not know what better evidence one could offer on that point.

There is another point which, I think, Honourable Members are not aware of and about which I would like to make some reference. It is not only a fact that almost all members of the Congress Working Committee—at any rate a great many of them—had ceased to have any faith in non-violence, a great many of them had become indifferent to the principle, but there is enough body of evidence to indicate that inside the Congress there was an attempt being made for a planned campaign of violence.

**Sardar Sant Singh :** So far as the war is concerned .....

**The Honourable Dr. B. R. Ambedkar :** Please do not interrupt me.

**Sardar Sant Singh :** You are making mis-statements.

**Some Honourable Members :** It is not correct. There is no evidence.

**The Honourable Dr. B. R. Ambedkar :** I am not making any inaccurate statement. I think there is one piece of evidence to which no reference has so far been made in the House, and I would like to make a reference to it.

An incident occurred at Deoli Detention Camp where Mr. Jai Prakash Narain was kept. The House probably is aware that the Jail

Superintendent in charge of the Camp succeeded in getting hold of some papers which Mr. Jai Prakash Narain was surreptitiously trying to pass out of the Jail to his wife. That incident occurred in December 1941 and anyone who wants to understand what was happening within the Congress—within the Working Committee—I submit, ought to pay the greatest attention to that document. What does that document reveal ? That document, if I read it correctly, reveals four or five points. First of all—and I am using the words of Mr. Jai Prakash Narain himself—the Satyagraha which Mr. Gandhi was carrying on was held by a majority of Congressmen as a stupid farce; it had no sense, it had no meaning. Secondly, Mr. Jai Prakash Narain maintained that if the Congress wanted to achieve its goal it had better give up the task of attending to moral victories and should try to achieve political victories. That was again a hit against Mr. Gandhi. The second fact which the document revealed was that there were in existence in India certain parties who were not only not believing in non-violence but were pledged to violence and the parties that are referred to in that document, I find, are these, which are said to be within the Congress : The Communist Party of India, the Revoluitionary Socialist Party in Bengal, the Congress Socialist Party, the Hindustan Socialist Republican Association. It was the project of Mr. Jai Prakash Narain that all these bodies, except perhaps the Communist Party, should be amalgamated into one single organisation which should be a secret party, working within the Congress and working below ground, subterranean—to use the exact technical terminology. Mr. Jai Prakash Narain also suggested that this secret party should not only be within the Congress but should resort to political dacoities for the purpose of getting funds to carry on its own policy. If these two matters to which I have made reference do not convince reasonable people that the Congress was not to be trusted in the lip service which it rendered to the principle of non-violence, I do not know that there can be any better evidence by which a reasonable man can be convinced. That, Sir, is at any rate one of the circumstances on which Government relied in taking action at the stage it took.

Then I come to the second point which I have selected in offering my remarks in this maiden speech. It has been said by the Members of the Opposition that, although repression may be justifiable by the

circumstances of the moment, it should not be the duty of the Government merely to stop with repression but that Government must take some constructive step. When one begins to examine the constructive steps to which reference has been made from different sections of the House, one cannot but be surprised at the bewildering medley of suggestions that have been made. I, therefore, pick upon only one which appears to me something definite and something which you can put your teeth in and examine. The suggestion has been made that the Government of the day should be recast, refashioned, and should work as a national government. Now, in order that I may be able to present to the House the point of view which I am urging with regard to this suggestion, it would be better if I begin by stating what the present Government is, what is its nature. As Honourable Members are aware, section 33 of the Government of India Act says, that the superintendence, direction and control of the civil and military government of India is vested in the Governor General in Council. I am a bit of a constitutional lawyer. I do not claim to be an expert, but I do claim to be a student; and examining this section 33 and comparing it with the constitutions that exist elsewhere and taking as a measure the wishes of the Indian people as to the nature of the government they want, I have no hesitation in saying that this section 33 provides a government which has two characteristics which are of infinite importance. The one characteristic which this government has got is that it excludes autocracy completely. The second characteristic which this government has got is that it imposes collective responsibility, a matter which is so much after the heart of the Indian people .....

**An Honourable Member :** Is it practised ?

**The Honourable Dr. B. R. Ambedkar :** I will come to that. There is ample provision in the Act. The government is vested not in the Governor General, not in a single authority, but it is vested in the Governor General in Council.....

**Mr. Jamnadas M. Mehta** (Bombay Central Division: Non-Muhammadan Rural): Subject to the orders of the Secretary of State.

**The Honourable Dr. B. R. Ambedkar** : I am coming to that; I am dealing with all that. The position is this, that every Member of the Executive Council is a colleague of the Governor General. That fact can never be forgotten and ought never to be forgotten; and my

submission, therefore, is that if Indians are wanting a government which is democratic, which excludes autocracy, and which by law—not by convention only—imposes upon those who are in charge of the administration a collective responsibility, then my submission to the House is this : that you cannot devise a better form of government than the one we have. I know it has been said against this government that although that may be so, this government is subject to the veto of the Viceroy and of the Secretary of State.....

**Mr. Jamnadas M. Mehta :** No merely veto-orders.

**The Honourable Dr. B. R. Ambedkar : I** call it veto ; you can call it orders. I would like to use a constitutional phrase as I am a constitutional man.....

**An Honourable Member :** The master's voice from Whitehall.

**The Honourable Dr. B. R. Ambedkar :** What I said is that this government is not a free government; it is a government that is subject to the veto of the Viceroy, it is also subject to the veto of the Secretary of State. With regard to the veto of the Viceroy I would like to point out that the veto is confined to matters which relate to the safety and tranquility of India. It is not a general veto. It is not a veto which applies to the day to day administration of the country.....

**Sardar Sant Singh :** May I ask one question.

**The Honourable Dr. B. R. Ambedkar :** You must not ask any question now, I have got a very short time, I am going to admit for the sake of argument that there is a veto. I have read a lot of constitutions, not to be afraid of a veto.....

**Sardar Sant Singh** : **I** am asking a legal question.

**The Honourable Dr. B. R. Ambedkar :** You can ask me later. I have no time to give a lecture now.

I am perfectly prepared to admit that there is a veto and that the veto exists. My question to Honourable Members who are so much disturbed by the veto is this : what is the significance of the veto ? What does the veto mean ? Let me state it in the most categorical terms, because I find there is a lot of confusion in the minds of many Honourable Members who wish to talk about the constitutional question. What is the difference between an autocratic government and a responsible government ? What is the difference that exists in Germany under

Hitler and the Government that exists in Great Britain ? The answer simply is this ..... Interruption).

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order. Honourable members must not go on interrupting like this.

**The Honourable Dr. B. R. Ambedkar :** The answer is simply this and I want to put it in the most categorical form—the difference between autocracy and responsible government—I repeat it, I emphasise it,—lies in the fact that in autocracy there is no veto, in responsible government there is a veto. That is the simple fact about it. Let all those who want to understand the constitution and who want to frame constitutions bear that fact in mind.

Sir, the only question, the only quarrel that can arise—I can perfectly understand that sort of quarrel—is where should the veto lie ? Should it lie with the Secretary of State, should it lie with the Viceroy, or should it lie at any other place or in some other organisation ? That can be the only point of quarrel. As to the existence of the veto, I submit that there can be no quarrel among those who believe in responsibility, among those who believe in democratic government. The question, therefore, that arises is this : If we are not to have the veto with the Secretary of State, where arc we to have it ? It seems to me that if you want to transfer the veto from the Secretary of State, the only place where I can see it can be rightly placed is the Legislature. There is no other place for the veto.

**Sir Syed Raza Ali** (Cities of the United Provinces : Muhammadan Urban): I am glad that my Honourable friend has at last thought of the Legislature !

**The Honourable Dr. B. R. Ambedkar :** The question, therefore, is this, and I think it is a simple question. Can we transfer the veto to the legislature as it exists today ? (Interruption by Pandit Lakshmi Kanta Maitra). I cannot teach you constitutional law. I am afraid I shall have to open a class. I spent five years in the Law College teaching constitutional law. The question to my mind is this. Can we transfer this veto to the Legislature ? And I must consider the question from the stand-point of the present Legislature because the demand is that the British Government should abdicate at once. The question is, is this Legislature suited as a receptacle in which we can place this veto ?

What is the composition, what is the character of this Legislature ? Now, Sir, it is quite true and I do not think I am saying anything derogatory to this House, that, having regard to the efflux of time, this House is almost in a deceased state.

**Sardar Sant Singh :** It is always.

**The Honourable Dr. B. R. Ambedkar :** It was elected for three years, but it has been sitting for almost nearly nine years. I do not know to what extent the present Members of this House can be said to derive a mandate from their constituencies which can be regarded as direct and fresh, if it has not become stale by the efflux of time. I won't say anything about it, but let us proceed further and examine the composition of the House.

**Mr. President** (The Honourable Sir Abdur Rahim)**:** The Honourable Member has already exceeded his time.

**Pandit Lakshmi Kanta Maitra** (Presidency Division)**:** Non-Muhammadan Rural): What my Honourable friend says has nothing to do with the motion before the House.

**The Honourable Dr. B. R. Ambedkar :** If you think, Sir, that my time is up .....

**Mr. President** (The Honourable Sir Abdur Rahim) **:** The time limit was arrived at by agreement of all Parties and I have got to enforce it.

**The Honourable Dr. B. R. Ambedkar :** Then I will close my speech. Examine the Legislature from any point of view you like, examine it from the point of view of the mandate, examine it from the point of view of the composition of the legislature, its representative character, examine it also from the point of view of the electorate which is represented, and I have no doubt about it that this House cannot be regarded as sufficiently representative to impose a veto on a national government.

**Mr. Jamnadas M. Mehta :** Why did you call the Session ?

(There were some more interruptions.)

**The Honourable Dr. B. R. Ambedkar :** The point, therefore, is this, Either you must acknowledge the fact that this House is not representative enough to have the veto deposited in it, or you must consider whether during the period of the war it is possible for us to enter upon re-fashioning this legislative Assembly in such a manner that it will contain within itself a sufficient number of Hindus,

a sufficient number of Mussulmans, a sufficient number of Depressed Classes, and all the other elements which go to make up the national life of the country. Therefore, my submission is that this demand which has been made for a national government is certainly the result of confused thinking, is the result of the desire of most people, to avoid what I regard as the most crucial question, namely, a communal settlement, because until we get a communal settlement, it is quite impossible to re-fashion this House in a manner in which it would be regarded as fit to receive the veto powers over the Executive that may be fashioned under the new Constitution. Sir, I cannot carry the matter further as my time is up and I resume my seat.

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# 6

## * Election of a Member to the Advisory Committee for the Utilization Branch of the Geological Survey of India

**Mr. President** (The Honourable Sir Abdur Rahim): Further consideration of the motion moved by the Honourable Dr. Ambedkar on Monday, the 14th September. Dr. Ambedkar had then stated that this motion might stand over so that he might be able to give some information.

**The Honourable Dr. B. R. Ambedkar** (Labour Member): May I know, Sir, how you propose to deal with the amendments ? Perhaps it would be better if the amendments are moved so that I may deal with the motion and the amendments also.

**Mr. President** (The Honourable Sir Abdur Rahim): I think, the Honourable Members who wish to move their amendments may formally move them now. Then, the motion and the amendments will be for discussion before the House.

**Mr. H. A. Sathar H. Essak Sait** (West Coast and Nilgiris : Muhammadan): Sir I beg to move :

> "That in the motion for the words 'one representative' the words 'four representatives' be substituted."

**Mr. President** (The Honourable Sir Abdur Rahim): Amendment moved:

> "That in the motion for the words 'one representative' the words 'four representatives' be substituted."

**Pandit Lakshmi Kanta Maitra** (Presidency Division: Non-Muhammadan Rural)**:** Sir, I beg to move :

> "That in the motion for the words 'one representative' the words 'three representatives' be substituted."

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*Legislative Assembly Debates (Central), Vol. HI, 21st September 1942, pp. 339-42.

**Mr. President** (The Honourable Sir Abdur Rahim): Amendment moved :

> "That in the motion for the words 'one representative' the words 'three representatives' be substituted."

**The Honourable Dr. B. R. Ambedkar:** Sir, the motion and the amendments raise two questions. Last time when I moved the motion, my Honourable friend, Mr. Neogy, asked for some information to be given to the House with regard to the constitution of the Utilisation Branch of the Geological Survey of India. As the House will remember, on the very next day the Honourable Mr. Neogy had tabled a question with regard to the very same question. In the course of my reply, I gave some information with regard to the Utilisation Branch and I do not know whether my Honourable friend and the rest of the Members of this House desire any more information with regard to this Branch. But I see that there is probably some information which it was not possible for me to give to the house by reason of the fact that it could not be put either as answer to the main question or because of the peculiar nature of the supplementary questions that were asked on that day. I propose to give to the House some information now which I was not able to convey to it the other day.

The first thing that I wish to refer from the point of view of information is the duties of the Utilisation Branch which, I think, I did not mention that day. I should like to inform the House that according to the constitution of the Utilisation Branch, it will have three main duties; firstly, to carry out the necessary field work for proving mineral deposits; secondly to initiate, where necessary, preliminary mining operations ; and, thirdly, conduct experimental work as may be necessary to solve problems in ore dressing and smelting and other problems of production that may be capable of solution by the utilisation of India's minerals. Those are the duties of the Utilisation Branch.

Then, with regard to the programme of work of the Utilisation Branch. I would like to inform the House that at present it falls under six heads: (1) re-opening of the lead and zinc mines of Zawar in Udaipur State in Mewar; (2) development of Rajputana mica mines ; (3) working of sulphur deposits in Baluchistan; (4) operations on wolfram in Bengal and the Central Provinces ; (5) examination of

certain deposits in Bihar; and (6) search for certain minerals, stones and salts and other related substances.

The third question on which my Honourable friend, Mr. Neogy, wanted information was the relationship in which the Utilisation Branch stands to the Board of Scientific and Industrial Research. Now, Sir, the position is this. The Board of Scientific and Industrial Research deals with three things, namely, inventions, heavy chemicals and naturally occurring salts. The Utilisation Branch deals with the discovery of minerals and proving them, obviously, their funcitons are different. At the same time, there is a certain amount of interrelationship between the Board of Scientific and Industrial Research and the Utilisation Branch, and the inter-relation has been brought about in this way. Dr. Fox, who is in charge of the Geological Survey of India, is the Chairman of the Committee on heavy chemicals which is working under the Board of Scientific and Industrial Research. On the other hand, the Director of Scientific and Industrial Research is a member of the Advisory Committee to the Utilisation Branch of the Geological Survey, and, secondly, by this arrangement, the House will see that exchange between the two Departments has been arranged.

There were two other questions to which my Honourable friend referred. They were by way of criticism of Government's actions. He stated that there was a neglect of India's mineral resources and, secondly, he suggested that the Utilisation Branch was started more for the purpose of providing occupation for evacuees from Burma. Now, Sir, with regard to the first question, I say I regret as much as my Honourable friend does that the question of the development of India's mineral resources was not taken in hand earlier than it was done. But I think my Honourable friend realises that there were three principal difficulties in the way of India's undertaking a project such as the one we have now undertaken, namely, the establishment of the Utilisation Branch. It is to be admitted that up to the present time the Geological Survey of India had not qualified official mining personnel. Unfortunately, the Indian Geological Survey of India followed the functions which the Geological Survey in England had followed, namely, to act merely as an inspectorate of mines rather than as a technical body of experts who were engaged in developing the mineral resources of India. Secondly, there is a certain amount of

shyness in the mineral exploitation due to the risks involved in opening up mineral deposits. There was a general belief prevalent in India, probably due to long disuse of mining operations in the country, that India was not well-endowed with minerals other than those which were suitable for export, such as manganese and mica. What I would submit to the House and to my Honourable friend is that while we may regret that we have not tackled the business much earlier than we have done, whether it is not a case where one ought to say that better late than never.

With regard to the question of the employment of Burmese evacuees, I would like to point out to my Honourable friend as well as to the House that in this matter, we really had no choice. As I told my Honourable friend we have been suffering from lack of official mining personnel. Burma was the only place where mining, such as, for instance, of lead and zinc, was carried on on an extensive scale. Burma is the only place where mining engineers were trained. Consequently rather than saying that we have opened this branch to give employment to Burmese evacuees I think the correct interpretation would be to say that it is because we were able to use the services of the Burmese evacuees that we have been able to undertake this project which I have no doubt is going to be not merely an item in India's war effort, but is going to be one of the greatest things for the future of India.

Sir, turning to the question of the amendments, one thing I would like to say I am really very glad that these amendments have been made. I can now say that the account which I have given of the Utilisation Branch is so convincing that those who came to scoff have remained to pray. But the temple is a very small one and although I welcome the enthusiasm of the worshippers, I cannot allow this small temple to be so overcrowded as to leave no breathing space. I am sorry I cannot accept the amendments.

**Sir Syed Raza Ali** (Cities of the United Provinces : Muhammadan Urban): Would you refuse them entry into the temple even.

**The Honourable Dr. B. R. Ambedkar :** I am sorry I have to oppose these amendments. I will tell the House exactly the reasons which have dictated this policy. I would like to draw the attention of the Honourable Members who have moved these amendments to bear in mind that this Committee is not an Executive Committee. It is not a Committee which

can take decisions and, therefore, anything that is done in this Committee is not going to commit this House one way or the other. It is purely an Advisory Committee. The second thing which in my judgment presents a stronger reason than the first arises out of the object of the Committee. The object of the Committee is to bring together experts of the representatives of trade and industry together. That is the primary object of this Committee. I would like to draw the attention of Honourable Members to the composition which has been devised for this particular Committee in order that this principal object may be achieved. Sir, there are altogether 16 members on this Committee as planned for the present. The House will see that what has been done is to put five experts on the Committee and to put five representatives of trade and industry along with them. First of all, there is the Director of Geological Survey, the Director of the Board of Scientific and Industrial Research, one representative of the Mining and Metallurgical Institute, one representative of the Indian Mining Association and representative of the Indian Mining Federation. They constitute a body of experts who will sit on this Committee. Then, as representatives of trade and industry, we have given two scats to the Federation of Indian Chambers of Commerce. We have given two seats to steel industry and we have the Secretary of the Commerce Department to represent the Commerce Department on this Committee. From this the House will see that the object of the Committee is really to bring experts who will tell the industrialists and the representatives of the trade what minerals they are in a position to prove and representatives of trade and industry will tell the experts how they could be commercially exploited.

Now Sir, if the House bears in mind that this is the principal object of this Committee, there is really not much scope left for the inclusion of what I might call general opinion in the country.

**Dr. P. N. Banerjea** (Calcutta Suburbs : Non-Muhammadan Urban): Representatives of the general public.

**The Honourable Dr. B. R. Ambedkar :** Yes, representatives of the general public. The next argument to which I wish to refer is the fact that the Committee is already a large Committee. As planned now, there are 14 Members on it. If I accept the amendment which demands four, then the Committee will consist of 18 and I must take into consideration the fact that if I allow four Members of this House, the Upper House

will demand at least three. That means that the Committee will consist of 21 Members which I have no doubt the Mouse will agree will be too unwieldy for doing the business which it will be called upon to undertake.

The next point to which I should like to draw the attention of the House is this: that the constitution of the Committee already provides for the nomination of four Members by the Labour Member and without committing myself to any particular line of using this power of nomination I think it is perfectly possible that one Member of the House may find a place on it through nomination. Therefore, Sir, having regard to the considerations which I have placed before the House, I am sorry to say that I cannot accept these amendments.

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# 7

# *Why Indian Labour is Determined to Win the War

### *Dr. B. R. Ambedkar's Broadcast from Bombay Station of All India Radio*

"Labour is aware that, if this is a war against the New Nazi Order, it is not a war for the Old Order. It is a war on both the Old Order and the Nazi Order. Labour is aware that the only compensation for the cost of this war is the establishment of a New Order in which liberty, equality, and fraternity will not be mere slogans but will become facts of life," said the Hon'ble Dr. B. R. Ambedkar, Member for Labour, Government of India, broadcasting recently on "Why Indian Labour is determined to win this War" from the Bombay Station of A.I.R.

Here is the full text of Dr. Ambedkar's broadcast :

There is to be a series of broadcasts by persons who are connected with and interested in Labour. My talk tonight is the first of this series. The subject of my talk is of a general sort. It is to serve as an introduction to the series. The title I have chosen for the subject is 'Why Indian Labour is determined to win this War'. There is one fact which must arrest the attention of all. It relates to the attitude of Indian Labour towards the War. In the midst of this sudden surge of non-co-operation with and opposition to the war effort which we are witnessing in India, Labour has been actively co-operating in the prosecution of the war. Of this there can be no question. This, Labour has done and is determined to do notwithstanding the many efforts that are being made to dissuade it from doing.

## What Labour Wants

During the war Labour has secured many gains and will no doubt secure many more. As pointed out by me recently, Labour has obtained

*Indian Information, January 1, 1943, pp. 16-19.

security through legislation. It has obtained the right to safety, care and attention, through the conditions of welfare which have been enforced by the Central Government upon the Employers for the benefit of Labour. But, if Labour is determined to do its utmost to accelerate the war effort, it is not simply because of the lure of these immediate gains. There arc other and stronger reasons which are at the base of this determination. Labour is not content with securing merely fair conditions of work. What Labour wants is fair conditions of life. Let me explain what Labour means by fair conditions of life.

## Liberty, Equality, Fraternity

Labour wants liberty. There is perhaps nothing new in this. What is new is Labour's conception of liberty. Labour's conception of liberty is not merely the negative conception of absence of restraint. Nor is Labour's conception of liberty confined to the mere recognition of the right of the people to vote. Labour's conception of liberty is very positive. It involves the idea of Government by the people. Government by the people, in the opinion of Labour, does not mean Parliamentary Democracy.

Parliamentary Democracy is a form of Government in which the function of the people has come to be to vote for their masters and leave them to rule. Such a scheme of Government, in the opinion of Labour, is a travesty of Government by the people. Labour wants Government which is Government by the people in name as well as in fact. Secondly, liberty as conceived by Labour includes the right to equal opportunity and the duty of the State to provide the fullest facilities for growth to every individual according to his needs.

Labour wants equality. By equality Labour means abolition of privileges of every kind in law, in the civil service, in the Army, in taxation, in trade and in industry : in fact the abolition of all processes which lead to inequality.

Labour wants fraternity. By fraternity it means an all-pervading sense of human brotherhood, unifying all classes and all nations, with "peace on earth and goodwill towards man" as its motto.

## The Nazi New Order

These are Labour's ideals. They constitute the New Order, the establishment of which alone can save humanity from destruction. How

can this New Order be established if the Allied Nations lose the war ? That is the supreme question which Labour knows it would be fatal to shirk or to avoid. Can this New Order be established by sitting idle and refusing to fight? Labour believes that Victory for the Allied Nations is the only hope of such a New Order coming into being. If the Allies fail, sure enough there will be a New Order. But the New Order will be no other than the Nazi Order. It will be an Order in which liberty will be found to be suppressed, equality denied, and fraternity expurgated as a pernicious doctrine.

This is by no means the whole of the Nazi New Order. There are parts of the Nazi Order which must compel every Indian to give anxious thought to its dangers, no matter what his religion, his caste and his political faith. The most important part is the one which enunciates the creed of racial gradation. This is the principal dictum in the Nazi Order. The Nazis regard the German Race as the Race of Superman. They are pleased to place the other While Races below the German race. But to the Brown Races—and Indians are included in this category—they give the last place in the gradation. As though this is not humiliating enough, the Nazis have declared that the Brown Races shall be the serfs of the German and the White Races. They arc not to have education, they arc not to have any liberty—political or economic.

**"A Direct Menace"**

The fury with which the British Government has been denounced by Hitler in his *Mein Kampf* for having given Indians education and political liberty, is quite well-known. The Nazi ideology is a direct menace to the liberty and freedom of Indians. Given this fact, there is the strongest reason why Indians should come forward to light Nazism. No one who compares the Nazi Order with the New Order which Labour has in view, can have any doubt that Labour, in making up its determination to fight for the Allies and to defeat and destroy Nazism, has taken up a position which is the only position which all sensible people can take. There are, however, people who refuse to take this view.

There are some who think that they do not mind a Nazi victory' and the coming of the New Nazi Order. Fortunately, not many of these are to be found in the country. Those who take this view are not serious

themselves. Nobody takes them seriously. They arc embittered politicians who will not be satisfied unless they are allowed to dictate their way and whose motto is "all or nothing"

There are pacifists who argue that all wars are wrong. They argue that the troubles of the world are largely due to the wars that have devastated and defaced human civilisation which men have built up at the cost of so much human effort. This is true. But in spite of all this, Labour refuses to accept pacifism as a principle of life. Wars cannot be abolished by merely refusing to fight when attacked. Peace obtained by surrender to the forces of violence is not peace. It is an act of suicide for which it is difficult to find any justification. It is a sacrifice of all that is noble and necessary for maintaining a worthy human life to the forces of savagery and barbarism.

Surrender is not Labour's way to abolish war. Only two things will, in the opinion of Labour, abolish war. One is to win the war and the other is to establish a just peace. In the view of Labour both are equally important. Labour holds that the origin of war does not lie in man's thirst for blood. The origin of war is to be found in the vile peace that victors often impose upon the vanquished. According to Labour, the duty of the pacifist is not to sulk and to refuse to fight when war is on. Labour believes that the duty of the pacifist is to be active and alert both when the war is on and also when the terms of peace are being forged. The pacifist fails to do the right thing at the right time. The pacifists are active against war when war is on. They are inactive and indifferent when the war is over and peace is being made. In this way pacifists lose both, war as well as peace. If Labour proposes to fight this war, it is because pacifism is not the Labour's way of abolishing war.

## French Revolution Recalled

There arc pessimists who say that there is no guarantee that victory will be followed by a New Order. There is perhaps room for this pessimism. The New Order, which is the ideal of labour, has its roots in the French Revolution. The French Revolution gave rise to two principles—the principle of self-government and the principle of self-determination. The principle of self-government expresses the desire of the people to rule itself rather than be ruled by others whether the

rulers be absolute monarchs, dictators, or privileged classes. It is called 'democracy'.

The principle of self-determination expresses the desire of a people united by common ideals and common purposes to decide, without external compulsion ; its political status—whether independence, interdependence, or union with other peoples of the world. This is called nationalism. The hope of humanity was centred on the fructification of these principles. Unfortunately, after a lapse of nearly 140 years, these principles have failed to take root. The old regime has continued either in all its nakedness or by making sham concessions to these two principles. Barring a few countries, there was neither self-government nor self-determination in the world. All this, of course, is true. But this is no argument against the attitude taken by labour—namely, that the preliminary condition for the establishment of the New Order is victory over the forces of Nazism. All that this means is that Labour must be more vigilant and that the war must not stop with victory over Nazis, but there must be no peace unless there is victory over the Old Order wherever it is found.

## Labour And Nationalism

More serious opponents of Labour are, of course, the Nationalists. They accuse Labour of taking an attitude which is said to be inconsistent with and injurious to Indian nationalism. Their second objection is that Labour agrees to fight for the war without getting any assurances about India's independence. These are questions so often posed and so seriously argued that it is necessary to state what labour thinks of them.

As to nationalism, Labour's attitude is quite clear. Labour is not prepared to make a fetish of nationalism. If nationalism means the worship of the ancient past—the discarding of everything that is not local in origin and colour—then Labour cannot accept nationalism as its creed. Labour cannot allow the living faith of the dead to become the dead faith of the living. Labour will not allow the ever expanding spirit of man to be strangled by the hand of the past which has no meaning for the present and no hope for the future : nor will it allow it to be cramped in a narrow jacket of local particularism. Labour must constantly insist upon renovating the life of the people by being ever ready to borrow in order to repair, transform and recreate the body

politic. If nationalism stands in the way of this rebuilding and reshaping of life, then Labour must deny nationalism.

Labour's creed is internationalism. Labour is interested in nationalism only because the wheels of democracy—such as representative Parliaments, responsible Executive, constitutional conventions, etc.—work better in a community united by national sentiments. Nationalism to Labour is only a means to an end. It is not an end in itself to which Labour can agree to sacrifice what it regards as the most essential principles of life.

**Independence : A Wrong Approach**

As to independence, Labour fully recognises its importance. But Labour thinks that there is a wrong approach to the question of independence and a misunderstanding about its importance. The independence of a nation *ex hypothesi* does not tie it up to any particular form of government or organisation of society. External independence is quite compatible with internal slavery.

Independence means nothing more than that a nation has liberty to determine its form of government and its social order without dictation from outside. The worth of independence depends upon the kind of government and the kind of society that is built up. There is not much value in independence if the form of government and the order of society are to be those against which the world is fighting today. Labour thinks that more emphasis ought to have been placed *on New India—and less on 'Quit India'*. The appeal of a New India with a New Order is bound to be greater than the appeal of independence. Indeed the vision of a New Order in a New India would very greatly strengthen determination to win freedom. Such an approach would certainly have stopped the many embarrassing questions which are being asked, namely, freedom for what and freedom for whom.

Secondly, immediate realisation of independence as a condition for support to the war effort, Labour finds it difficult to understand. This condition marks a sudden development in the attitude of some people to the war effort, and could be justified only if there was any sudden conspiracy to rob India of her right to freedom. But there is no evidence of any such conspiracy. Nor can such conspiracy, if there were any, succeed no matter who the conspirators are. In the view of Labour no

one can deprive India of her right to freedom if she demands it with the combined strength of united people. If India's independence is in the balance, it is because of disunity among Indians. The enemies of India's independence are Indians and no others.

## Labour And War

Labour's attitude to this war is framed after a full realisation of what is involved in the war. Labour is aware that it must win the war as well as peace if war is to be banished from the world. Labour is aware that it is not enough to defeat the Nazis and to destroy the possibilities of the New Nazi Order, it is not a war for the Old Order. It is a war on both the Old Order and the Nazi Order. Labour is aware that the only compensation for the cost of this war is the establishment of a New Order in which liberty, equality, and fraternity, will not be mere slogans but will become facts of life. But the question of all questions is how can the hope of this New Order materialise ? On this question Labour is quite emphatic. Labour insists that for the materialisation of all these ideals there is one condition that is primary—and that is success in the war. Without success in the war there can be no self-government and self-determination for India. Without victory in the war, independence will be idle twaddle. This is the reason why Labour is determined to win this war.

## Two Features Of Present War

This war is full of potentialities for good. It promises to give birth to a New Order. Labour finds that this war is different from other wars. There are two features which distinguish it from other wars. In the first place, this war is not altogether a war for the division of the world's territory amongst the most powerful nations of the world as the preceding wars have been. In this war the division of the world's territory is not the only cause. This is a war in which there is a conflict of ideologies relating to the forms and systems of Government under which humanity is to live. In the second place this war is not altogether a mere war as other wars have been. Its object is not merely to defeat the enemy, to march on to his capital and to dictate a peace. This war besides being a war is also a revolution—a revolution which demands a fundamental change in the terms of associated life—a replanning of the society. In this sense it is a people's war, and if it is not, it could and should be made into a people's war.

Given these facts, Labour cannot be indifferent to this war and to its outcome. Labour is aware how the efforts in the past for the establishment of a New Order have been frustrated time and again. That is because democracy, after it was brought into being, was left in Tory hand. If the people of the world take care to see that this mistake is not committed again in future, Labour believes that by fighting this war and establishing the New Order the world can be made safe for democracy.

## Correct Leadership

The country needs a lead and the question is who can give this lead. I venture to say that Labour is capable of giving to the country the lead it needs. Correct leadership apart from other things, requires idealism and free thought. Idealism is possible for the Aristocracy, though free thought is not. Idealism and free thought are both possible for Labour. But neither idealism nor free thought is possible for the middle-class. The middle-class does not possess the liberality of the Aristocracy, which is necessary to welcome and nourish an ideal. It does not possess the hunger for the New Order, which is the hope on which the labouring classes live. Labour, therefore, has a very distinct contribution to make in bringing about a return to the sane and safe ways of the past which Indians had been pursuing to reach their political destiny. Labour's lead to India and Indians is to get into the fight and be united. The fruits of victory will be independence and a New Social Order. For such a victory all must fight. Then the fruits of victory will be the patrimony of all, and there will be none to deny the rights of a united India to share in that patrimony.

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# 8

## * The Paper Control Order

**The Honourable Dr. B. R. Ambedkar** (Labour Member): I am indeed very glad that the Honourable Mr. Bajoria brought forward this adjournment motion which enables Government to place before the House the facts with regard to the paper situation in this country. Sir, in the speeches that have been delivered in this House, some very harsh things have been said about Government. The Government is accused of being callous, of being selfish, of being hard-hearted, of having no consideration for the educational institutions of this country. I merely propose to place before the House the facts as they arc, the reasons which led the Government to issue this order, the steps that the Government has taken in order to case the situation immediately and for the future.

Sir, I would like to begin by pointing out to the House that there appears to be a certain misunderstanding about the nature of the order which has been issued by the Government. Member after member has risen in this House to suggest that the order passed by the Government in fact means that the Government claims 90 per cent of the paper production for itself. I would like to tell the House that that is a complete misunderstanding. The order passed by the Controller of Paper is not a requisition order. It is an order which in turn says that the manufacturers of paper shall be bound to hand over to Government 90 per cent of the paper that they produce. The order is what I may call a freezing order, and I want to tell the House that that difference that I am making is a real difference. It is not a difference without distinction, because the order, as it stands, all that it tells the

* Legislative Assembly Debates (Central), Vol. I, 11th February 1943, pp. 128-31.

paper-makers is that they shall not sell more than 10 per cent of their production to the public. It does not in turn say that they shall deliver 90 per cent of the paper to Government. That I think is a very fundamental and a very real distinction which the House should bear in mind.

**Pandit Lakshmi Kanta Maitra** (Presidency Division: Non-Muhammadan Rural): What is the difference in effect ?

**The Honourable Dr. B. R. Ambedkar :** The Government may release more than 10 per cent.

**Bapur Baijnath Bajoria :** How ?

**Dr. P. N. Banerjea :** When wisdom dawned on Government ?

**The Honourable Dr. B. R. Ambedkar :** It is the order as it stands. I am not giving the interpretation of the order. I am explaining the terms in the nature of the Order.

(There was an interruption, several Members speaking.)

**Mr. President** (The Honourable Sir Abdur Rahim) : Order, order.

**The Honourable Dr. B. R. Ambedkar :** The second point which I want the House to bear in mind is that the order is served on the paper mills. It is not served on the stockists, who have a large number of stocks of paper already in their godowns. Secondly, it is still possible for the public to satisfy its requirements by getting such paper as is still available in the stocks which have been stored and hoarded by stockists before the order was passed. The third thing which I wish to remind the House about this order is this : that it is possible under the order, as it is framed, for the Controller of Paper to permit the mills to sell more than 10 per cent. There is no bar, there is no impediment, no obstacle placed if the Controller of Paper, notwithstanding the order that has been passed on the 5th November, finds that it is possible for him to release for public consumption more than 10 per cent of the paper. It is still open to him to do so. Having explained to the House what is actually involved in the order issued by the Government, I would like to take the House and acquaint it with the immediate circumstances which compelled Government to pass this order.

Briefly, the facts are these. In the first six months, viz., from April to September, our demand for paper, which is put forth by the Central Stationery Office, amounted to 34,000 tons. It was found that the mills had already delivered about 16,000 tons of paper to Government on

behalf of the Central Stationery Office. The House will bear in mind that we had entered into a contract with the paper mills for supplying us 25,900 tons. If the House will enter into a little arithmetic, it will be found that as a result of our calculations for the first six months it was found that we had only 9,000 tons to get under our contract from the paper mills and had to run six months yet. Consequently, what the Government did was this. The Government revised its estimate in the light of the circumstances that had been disclosed during the previous six months. The second thing that the Government did was to consolidate the method of requisitioning paper, and here I would like to tell the House that before the order was passed there were two methods by which demands for paper on behalf of Government were put forth. One way was the Central Stationery Office demand, which was a demand on behalf of the Central Government, and the provinces of Bengal, Orissa, Assam, and the North-West Frontier Province and the Central Provinces. The other was the non-Central Stationery office demand, made on behalf of what are technically called the Non-C.S.O. provinces, i.e. the provinces, who presented their demands independently of the Central Stationery Office, plus Indian States, Security Printing, Supply Department, and non-State Railways. It was found that these two independent methods of requisitioning paper for Government created a great deal of difficulty in arriving at an accurate estimate of the total demand for paper, and consequently the first step that was taken was to consolidate these two channels of demand into one single channel, and the whole matter is now concentrated in the hands of the Central Stationery Office.

As I told the House previously, when the situation was found to have grown somewhat perilous on account of the excessive use of paper, and practically overdrawing over the contract amount, we revised the estimates and centralised the demands, and the position at the end of October worked out to these figures :

| | | Tons |
|---|---|---|
| The Central Stationery Office demand for the next six months, i.e. from October 10 March 1943 was fixed at | ... ... | 32,000 |
| The Non-Central Stationery Office demand was fixed at ... | ... | 9,500 |
| Together the total came to ... | | 41,500 |

On the basis of the production of the mills during that year, it was calculated that the mills would produce 47,575 tons during October and March. It will be found that the Government demand of 41,500 tons represented 87 per cent of the mills production during the six months. Roughly it was 90 per cent, and that is the reason why the order maintained 90 per cent as the figure. Now, the House will understand why it became necessary in November to issue this order. I want to tell the House the measures that the Government has taken in order to increase production of paper.

Of course, as the House will realise, it is not possible for Government to help the paper mills in the importation of additional machinery in order to enable them to increase their production. The difficulty of shipping is quite well known and it is quite beyond the powers of the Government to do anything in the matter. Consequently we have to work out whatever we can to increase the production of paper within the means which are available to us; and I would like to draw the attention of the House to three things which the Government has done and which could be usefully referred to as measures taken to increase production. The Government has appointed a paper production officer, whose duty it is to find out ways and means by which production of paper could be increased

**An Honourable Member :** Who is this gentleman ?

**The Honourable Dr. B. R. Ambedkar :** Mr. Bhargava. Secondly, the Government has cut out non-essential luxury varieties of paper and has restricted Government requirements to only a few easily manufactured standard qualities. Thirdly, the Government has been dealing with each mill separately to find out what sort of paper each particular mill, having regard to its machinery and its equipment, can produce to the largest extent. It is estimated at present that as a result of the measures taken to increase production, the increase would be about 12,000 tons.

The next thing that the Government has done in order to ease the situation is to impose cuts, arbitrary cuts, on the demands of the various departments made for paper. These cuts are as follows : provincial and state requirements have been cut down arbitrarily by 10 per cent, which gives a saving of 950 tons. Secondly, so far as the Central Government is concerned, the budgets for paper presented by the various departments which spend paper—their original estimates have been

revised and cut down to an appreciable extent. To illustrate what the Government has done in the matter of revising these estimates, I would place before the House the following figures. The original estimate of the civil departments was 11,400 tons and it has been cut down to 4,600 tons during the six months. The original estimate of the Defence Department was 15,000 tons and it has been cut down to 10,000 tons. The Eastern Group Supply Council's original estimate was 9,400 tons and that has been cut down to 7,900 tons. The Supply Department's requirement of 3,100 tons has been increased to 4,500 tons—that is commercial paper used for industry. As the House will notice, the original estimates of the departments to which I have referred came to 39,100 tons, while the revised estimates come to 27,600 tons. The House will be pleased to notice that, as I have already indicated, by the cut imposed on the provincial and Indian State requirements a saving has been effected of 950 tons. And to that 11,900 tons obtained by revising the estimates of the different departments and the total comes to 12,850 tons. Now, compare this in the light of the paper that is consumed in India. There are no exact figures nor is it possible to obtain any exact figures ; but such figures as Government have shown that the annual consumption of paper in India was about one lakh of tons ; for six months it comes to 50,000 tons and as the House will remember, ten per cent of that is already left to the public under the orders issued by the Controller of Printing. That gives the public 5,000 tons. Add to that the 12,850 tons which have been saved now or will be saved by the reduction I have referred to, the total paper which can be released is 17,850 tons which as the House will see comes to nearly 33 per cent of what the public consume during peace time .....

**Mr. President** (The Honourable Sir Abdur Rahim) : The Honourable Member's time is up; there is no option.

**The Honourable Dr. B. R. Ambedkar :** I was going to refer next to the measures that we have taken in order to avoid waste. As my time is up I do not wish to go into those details. I can send them to the press, if that is the view of the House.

The next thing that I would refer the Honourable House to is what we propose to do for the next year. For the next year the estimate is about 70,000 tons ; in that what we have done is this ; we have fixed the quota of every department which needs paper. For instance, the

Controller of Broadcasting is told he will not get more than 260 tons ; the Counter-Propaganda Directorate will have only 100 tons ; National War-Front 350 tons and Public Information 300 tons. There is a lot of other matter which, if I had time, I might have presented to the House. All that I want to say to the House is that it is not fair to suggest that the Government is callous. I do not deny that there is probably still enough room for economy, and I am very much obliged to the members who have made various suggestions as to how economy could be effected, and I will certainly convey those suggestions to the proper quarters, so that action may be taken. I hope that the Honourable Members will be satisfied that the Government is taking such steps as it can in the matter.

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## * Announcement *re* Grant of Inadequate Dearness Allowance to Workers

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, the motion made by Mr. Mehta raises two points, if I understand it correctly. One point is that the Government failed to consult the representatives of Trade Unions when they last raised the dearness allowance. The second point which is raised in the motion is that the dearness allowances which were announced on the 21st of January last were meagre and inadequate. Sir, I am sorry to say that although I have every sympathy with Mr. Mehta for bringing forward this motion, I am bound to say that the motion has been based upon misunderstanding.

Sir, I will take the first question, namely, that the dearness allowances announced by the Government of India are meagre and inadequate. Sir, with regard to the meagreness of the allowances the point that I would like the House to bear in mind is this, that there is no final decision at which Government have arrived, it cannot be said that the figures that they have announced by the notification of the 23rd February are not to be altered or are not to be increased.

**Pandit Lakshmi Kanta Maitra** (Presidency Division: Non-Muhammadan Rural): Is it tentative ?

**The Honourable Dr. B. R. Ambedkar :** It may be. There is the case that those figures do not grant adequate dearness allowance. But as I said there is no finality about it. The situation is still fluid and it is a matter for consideration now for the Government as to the form which the dearness allowance should take, whether the dearness allowance should take the form of cash allowance or whether the dearness allowance should take the form of food provision, that is a matter which the Government has to decide before the Government can fix upon any particular pitch at which dearness allowance should be fixed. Therefore my submission on that point is that it cannot be said that Government

* Legislative Assembly Debates (Central), Vol. I, 12th February 1943, pp. 197-99.

has taken any decision which can be said to be irretrievable, irrevocable, unamendable.

**Pandit Lakshmi Kanta Maitra:** Is there a good conduct allowance ?

**The Honourable Dr. B. R. Ambedkar :** I think it is in the Postal Department that the concession has been given. With regard to meagreness and the inadequacy, the matter as I say, is still open and it may be considered at the proper time.

Coming to the second accusation, namely, that the Government did not consult the representatives of trade unions, I think it is necessary to bear in mind that in the first place there are some difficulties in the matter of establishing contract with labour. The difficulty is this. As my Honourable friend, Mr. Jamnadas Mehta, knows, so far as the railways are concerned, there are Unions, which Unions have been federated into a single organisation and it makes matters quite easy for the Government to establish contact with workers on the Railways to obtain their opinion and to consult them whenever occasion for consultation arises. That, I think, Mr. Jamnadas Mehta will admit that the Government have been doing. In fact the convention has already been established and has been practised without any departure that the Railway Board and the Railwaymen's Federation meet twice a year to discuss matters of common concern.

Then, Sir, under the Central Government there are employees of the Posts and Telegraph Department. As I understand, there are twelve Unions which represent the posts and telegraph workers of the Central Government. Out of them four are Unions representing the higher officers and eight represent the union of workers. Unfortunately there is no single body, no Federation of the different workers of the Posts and Telegraph Department and consequently it has not been possible to establish the same sort of contact which it is possible for the Railway Board to establish with the Railwaymen's Federation. But I do like to point out the fact that notwithstanding this difficulty the Government had as a matter of fact contact with the posts and telegraph workers before taking action. I should like to read to the House a short paragraph from a magazine called the Telegraph Review for January, 1943, which records the attempts made by the Posts and Telegraph Department to establish contact with the workers in the Posts and Telegraph. This is what the Review says :

> "During his recent visit to Calcutta, the Director General invited the representatives of the different recognised service Unions and

held a joint conference with them on the question of dearness allowance on 10th December, 1942. The representatives could not present a united front on this question at this conference. Subsequently they met together in Tarapad Hall of the Postal Club building, Calcutta on the evening of 12th December 1942, and drew up on mutual agreement a new scheme of dearness allowance which is published elsewhere in this issue."

**Mr. Jamnadas M. Mehta :** What did they ask in that scheme ?

**The Honourable Dr. B. R. Ambedkar :** They saw the Director General again. The representatives met the Director General again in conference on 18th December, 1942 and submitted their scheme to him.

**Mr. Jamnadas M. Mehta :** What did they demand ?

**The Honourable Dr. B. R. Ambedkar** : It is a very long thing. I am sorry I have not got the time to read the whole of it. If my Honourable friend wants, I can pass it on to him for his perusal. The point that I am making is this, that so far as the Posts and Telegraph Department workers are concerned, it cannot be said that there was no consultation between the Government and the workers concerned before the announcement was made.

Then, Sir, there remain what are called the clerical employees of the Central Government. So far as this body of workers is concerned, there is no Union and as there is no Union, there is also no Federation of the employees. What exists is a certain Association. First of all we have the Imperial Secretariat Association, secondly, we have the Daftary and Record Sorters Association and thirdly, there is the General Headquarters Association and the House will be glad to see that far from omitting to consult them, they sent their representatives to the Central Government and they were granted interview by the Honourable the Home Member and the Finance Member before this announcement was made. I think I am justified in saying what I said at the beginning that the allegations made by Mr. Jamnadas Mehta on which his motion was founded were really not correct. The Government have all along maintained the position they have always taken, namely, they consult the workers as far as possible.

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# 10

## *The Indian Finance Bill

**The Honourable Dr. B.R. Ambedkar** (Labour Member) : Sir, I rise to reply to the criticism made by Honourable Members during the course of this debate on certain points or acts of commission and omission with which the Labour Department is concerned. Sir, I will begin with the points raised by Sir Frederick James. As the House is aware so far as the Labour Department is concrened these were two points to which he devoted special attention. The first one is the point which relates to paper. Sir Frederick James paid great attention to the point how Government of India was extravagant in the use of paper and how in every direction Government was responsible for what he called waste. Sir, this question of paper, as the House will recall, was once debated in the course of this Session on an adjournment motion when I gave a reply on behalf of Government. It is quite clear that my Honourable friend Sir Frederick James was not satisfied with the reply that Government then gave and has returned to the subject again. I make no complaint of his returning to the subject again for I am glad that it does give me another opportunity to explain what Government is doing in the matter of conservation of paper. Sir, before I enter into the subject matter it might be desirable to tell the House that as far as I have any information it seems to me that the House is exhibiting, if I may say so, a certain degree of over-anxiety that there is a shortage of paper, but I am not quite convinced that there is what we might call acute suffering in the matter. It might be interesting to the House, if I present to Honourable Members a few figures with regard to the publications that have been issued in Great Britain and in India. Sir, in 1939 in Great Britain, fifteen thousand books were issued and in 1940 eleven thousand were issued, in 1941 the figure was fourteen

*Legislative Assembly Debates (Central), Vol. II, 16th March 1943, pp. 1130-34

thousand. I am not saying that shortage of paper is not a question with which we are not concerned. As I said, there is shortage, but what I want to emphasise is that there is not a case of what we might call acute suffering.

Sir, proceeding further, as the House will remember, Sir Frederick James depended upon two illustrations in order to substantiate his charge of extravagance against the Government of India. Last time when the subject was debated, Sir Frederick James brought out a rent bill which is issued from the Western Court to the tenants who occupy that building. His case was that the rent bill which was presented to the tenants was a document of great enormity which contained details which were probably unnecessary and at any rate which could have been cut down in the period of the war. This time he brought out an old dilapidated copy of the Calcutta Gazette and pointed out that there were published in the Gazette certain information which could have been avoided in the course of the war.

**Sir F.E. James** (Madras : European): May I just interrupt my Honourable friend for one moment ? The issue I demonstrated of the Calcutta Gazette was the one which was just received from Calcutta and I think it was dated February of this year.

**The Honourable Dr. B.R. Ambedkar :** I am obliged to my Honourable friend. Now, Sir, the point I would like to make is this. If Sir, Frederick James was a lawyer, I am sure he would not have brought forth these two cases as illustrations of the points he was making. With regard to the rent bill, Sir Frederick James evidently forgot to look up the date on which it was printed. This bill was printed in 1938 and far from condemning the Government of India for using the bill, I think the Government of India ought to be congratulated that rather than destroying the old bills, the stock of which exists in the Government of India, the Government of India had laid aside all requirements of reforming the bill and were bent upon using the old stock which it possessed in order to conserve paper.

**Sir F.E. James:** Make them into scrap.

**The Honourable Dr. B. R. Ambedkar :** Sir, with regard to the question of the Gazette, I think a slip was committed by Sir Frederick James by reason of the fact that he was not able to appreciate the importance of the Gazette. The Gazette is not merely a matter which

contains useful information, information useful to Government, but as every lawyer knows, the Gazette is the only document where in some cases proof can be given by nothing else in a court of law except by the production of the Gazette. Even the list of enemy firms, patents etc. Government Gazette according to the Evidence Act, is the only primary evidence by which certain things can be proved. I would therefore ask Sir Frederick James whether he would not agree with me that whatever else we may do with regard to economics in Government paper, the Gazette is the last thing which we ought to touch.

**Sir F.E. James :** I would point out that my case was that an enquiry should be made whether it was necessary to publish in all the Provincial Gazettes, undoubtedly unimportant items which are published in the Central Government Gazette.

**The Honourable Dr. B. R. Ambedkar :** The reason obviously is that every Provincial Government must publish its own Provincial Gazette as prescribed by the Government of India Act. But, Sir, I do not wish to rely upon what might be called a rhetorical reply to meet the argument of my Honourable Friend. I propose to refer to the practical steps which the Government of India have taken in order to economise paper. I would first of all take up the question of the Gazette. Now, I would request my Honourable friend Sir Frederick James and also other Honourable Members of this House who are interested in this question to compare Part-II, Section I, of the Gazette of India of 29th August with that of Part-II, Section I, of 6th March, 1943. If the House and the Honourable Members would take the trouble of comparing these two issues of the Gazette, they will find that practically the matter which used to occupy 1½ pages of the Gazette is now compressed in half a column, so much space has been economised. All margins have been cut out.

**Dr. P. N. Banerjea** (Calcutta Suburbs : Non-Muhammadan Urban): What about people with defective eye sight ?

**The Honourable Dr. B.R. Ambedkar :** I cannot please all. Then, Sir, with regard to the point which Sir Frederick James just now raised, I might also inform him that the Government of India has circularised all Provincial Governments whether it would not be desirable and possible for them to use notifications issued in the Gazette of India by the Government of India and not to reproduce or repeat them for their

own use in their own Gazette. Of course, all that we can do is to advise and to recommend.

Then, Sir, with regard to Indian Information, the House will be interested to know that we have already issued orders that its size should be reduced to half.

Coming to the question of forms, the House will be interested to know that as a matter of fact 149 forms have been suspended during the war and 190 have been altogether abolished. Secondly the size of the form has also been reduced from 1941. In the forms printed after July 1942, no superfluous space is allowed. I would say that if Honourable Members have any suggestions to make to the Government of India, I should certainly feel extremely obliged and give my best attention to them.

Then, Sir, with regard to publications, I might assure the house that nothing is published, unless it is found to be absolutely essential. In order to determine the essentiality of any publication, the Government of India have introduced three different checks on publications. There is first of all the check applied by the Controller of Printing and Stationery. He is no longer the mechanical man who used to execute orders placed before him for printing. We have now invested him with authority to scrutinise and to examine the essentiality of any publication put before him. If he disagrees and objects, the matter is then referred to the Secretary of the Labour Department who considers the question and if the Labour Department and the Controller of Printing agree that the publication is not an essential publication, then the matter is referred to a Committee whose decision is regarded as final. Then, Sir, we have also issued instructions to printers whereby they are directed that they must make the most economical use of paper both in the matter of spacing, margin and other things. I am sure that although this may not be a very impressive list of steps taken by the Government of India, it is undoubtedly a serious attempt to produce economy. Sir, as the saying goes, no one expects Hannibal's elephant to learn the goose steps. The Government of India, and any Government for the matter of that, is a huge beast, slow in moving, slow in gaits and yet it cannot be expected to learn goose steps and yet, I think the House will agree, the Government of India has learned the goose steps, if it has not learnt, it is ready to learn.

**Sir F.E. James :** It is still quite young.

**The Honourable Dr. B.R. Ambedkar :** Now, Sir, I come to the definite suggestion made by my Honourable friend Sir Frederick James in the matter of bringing about economy of paper in the Government of India. His specific suggestion, if I understood him correctly, was that a body was appointed in England, a committee consisting of a Chartered Accountant, a representative of the Publishing House and a representative of the Printing establishment. Sir, he has given us no details as to the mode and the manner by which this Committee works in England, nor has he referred to any principles adopted by this Committee in order to bring about economy. It is therefore at this stage quite impossible for me to say that I am ready to accept the suggestion that he has made. But I would like to point out to him the steps that we had taken which I am sure he will agree is more or less along the lines that he suggests. The step that we have taken is to appoint an officer called Commercial Master Printer to advise the Controller of Printing. We have very recently secured the sanction of the Finance Department and the Officer will be appointed before long. I am sure this Officer will be able to do what the Committee in England is said to have done.

**Dr. P.N. Banerjea :** Is he an Indian or a European ?

**The Honourable Dr. B.R. Ambedkar :** We have only got the financial sanction just now.

**Mr. Jamnadas M. Mehta** (Bombay Central Division: Non-Muhammadan Rural) : Will he save more than he will cost ?

**The Honourable Dr. B. R. Ambedkar :** Let us hope so. There is no harm in guessing and hoping. That is all that I have to say with regard to this question of paper.

The next point dealt with by Sir Frederick James was with regard to the housing of families of officers in Simla. He will appreciate that so far as housing is concerned, this is probably the tightest corner in which the Government of India finds itself. The accommodation which it had and the accommodation which it has been able to control as a result of the requisition order is nothing as compared to the officers which the Government of India has had to employ as a result of war efforts. He will also agree that if we are to prosecute the war effort fully, we have to have priority fixed for accommodation, and he will

agree that so far as the priority is concerned families must take a second place as compared to the officers themselves. At the same time, the Government of India is aware how separation of husband and wife, father and children is likely to affect the mentality, the ease of mind of an officer who is required to do war effort. In order to relieve whatever distress such an arrangement might be causing, the Government of India has undertaken to open three boarding houses in Simla in order to accommodate the wives of officers who cannot leave their stations and I hope that Sir Frederick James will accept this as a token of goodwill of the Government of India towards this very acute problem.

Then, Sir, I come to the third point which was raised by my Honourable friend, Sir Jamnadas Mehta.

**Mr. Jamnadas M. Mehta :** I beg your pardon.

**The Honourable Dr. B. R. Ambedkar :** I hope you will be on the way to Knighthood. I won't withdraw, nor apologize; I only say that it is in anticipation.

**Maulana Zafar Ali Khan** (East Central Pubjab : Muhammadan) : Coming events cast their shadows before.

**The Honourable Dr. B.R. Ambedkar :** Mr. Jamnadas Mehta in the course of the debate referred to the Session of the Dominion Labour Trade Union Congress which is being held in England or which is about to be held, and he complained that Indian Labour was not represented at that Dominion Conference. Sir, I share the regret and the sorrow which Mr. Jamnadas Mehta feels at the omission of representation of Indian labour at this important labour conference, but I would like to tell Mr. Jamnadas Mehta that the Labour Department is in no sense responsible for this unfortunate result. I would also like to tell him that the Labour Department was not consulted by the conveners of this Conference and I am sure that Mr. Jamnadas Mehta will admit that we really could not do anything in this matter since we were not consulted. Why they omitted to consult us and why they did not directly consult the heads of the labour movement in this country, who are quite well known to the gentlemen who are working for this Conference, I can more than understand. But, I think, Mr. Mehta will agree that the Labour Department is as watchful as any department can be in the matter of safeguarding the interest and the position of the Labour Department. Sir, I have done.

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# 11

## *Election of Members to the Standing Committee for the Labour Department

**The Honourable Dr. B.R. Ambedkar** (Labour Member): Sir, I beg to move :

> "That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official Members to serve on the Standing Committee to advise on subjects with which the Labour Department is concerned."

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

> "That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, three non-official Members to serve on the Standing Committee to advise on subjects with which the Labour Department is concerned."

**Dr. P.N. Banerjea** (Calcutta Suburbs : Non-Muhammadan Urban): Sir, there are several Standing Committees attached to the different Departments, but there is no Standing Committee of this House which numbers only three. Now, what can be the reason for the small number of Members elected by this House ? Either the Labour Department is not an important Department, or it may be due to the fact that the Standing Committee is never called, or called very rarely, do discuss any matter. I should like to have information on either of these two subjects. Is the Labour Department an important Department ? I find that it is in charge of a very eminent person like Dr. Ambedkar. Even if it was an unimportant Department before, it should cease to be an unimportant Department at the present day at least so long as he is in control of the subject. But if it is to be an important Department, the Standing Committee should consist of a much larger number of persons. Look at the Standing Finance Committee, look at the Standing Finance Committee for Railways, and look at the Public Accounts Committee. The number of Members of any of these Committees is much larger than three. I am told that this Committee does not meet

*Legislative Assembly Debates (Central), Vol. II, 20th March 1943, pp. 1278-80.

very often I do not know whether it is a fact and that even when it meets, not much business is placed before this Committee. If that be so, I am afraid the utility of the Committee will be greatly diminished. I, therefore, appeal to the Government to increase the number of Members to eight. I understand that two Members are selected from the other place. I suggest that eight Members should be elected by this House. If you like, you may increase the number of Members given to the other House.

**The Honourable Dr. B.R. Ambedkar :** Sir, I am very glad to notice that this motion of mine has excited so much interest from the House. The number three, as I understand, is based neither on the importance nor on any other consideration, but I am told that it is a standard number and that if there are any enlargements or deviations from the standard number, they constitute only an exception and not the rule.

Now, Sir, with regard to the point raised by my Honourable friend Dr. Banerjea that the reason why the number was fixed at three is because the Department pays scant courtesy to this Committee, I submit, is not borne out by facts. The House will notice from what I am saying now that in 1940 there were two meetings of this Committee held and some very important business was placed before the Committee. For instance, at the two meetings that were held in 1940 the subject matter that was placed before the Committee included the conclusions of the Labour Conference, report of the Technical Training Inquiry Committee, scheme for the training of skilled artizans and accommodation in Delhi. In 1941 one meeting was held and there the business placed before the Committee included conclusions of the second Conference of Labour Ministers and progress made with the technical training under the Bevin training scheme. In 1942 one meeting was held and there was also an adjourned meeting held subsequently. The proceedings of the third Conference of Labour Ministers, the summary of the views of the employers and workers' representatives on certain subjects, building programme in Delhi and Simla, proposals relating to the recognition of Trade Unions, progress made with the technical training under the Bevin training scheme and amendments of the National Service (Technical Personnel) Ordinance, 1940, were the subjects that were placed before the meeting of the Committee. I am sure nobody can say that the Department has not been

placing before the Committee matters which are of importance and interest to Labour.

Then, the other thing I would like to submit to the House is this that this is not the only Committee to advise the Labour Department. Besides this, we have now instituted a Plenary Conference which consists of representatives of the Central, Provincial Governments, and also the Indian States, the representatives of employers and of labour are also represented on the Plenary Conference on a very extensive scale. There is no case for so large an increase asked for by the Honourable Dr. Banarjea. In addition to that we have also got the Standing Labour Advisory Committee. Having regard to the circumstances I hold the view that if there was any case for the enlargement of the personnel of the Committee, that case has considerably suffered by reason of the constitution of the Plenary Conference as well as by the Standing Labour Committee. However, if my Honourable friend is anxious that the personnel of this Committee should be increased, I am prepared to increase the number to eight-assigning five to this House and three to the upper Chamber: and I hope this will satisfy my Honourable friends in this House.

**Mr. H.A. Sathar H. Essak Sait** (West Coast and Nilgiris : Muhammadan) will the Honourable member please tell the house whether Members of this Committee are members of the Plenary Conference ?

**The Honourable Dr. B.R. Ambedkar :** Some of them are Messrs Mehta and Joshi are Members both of the Plenary Conference as well the Standing Committee.

**Mr. H.A. Sathar H. Essak Sait :** Are they ex-officio members of the Plenary Conference ?

**The Honourable Dr. B. R. Ambedkar :** No, they represent their organisations.

**Maulvi Muhammad Abdul Ghani** (Tirhut Division : Muham madan) : Sir, in view of the war conditions this Labour Committee has become very very important. It deals with the labour questions. Besides, as has just been pointed out by the Honourable the Member in charge, this Committee deals with many other important questions such as building matters.....

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Labour Member has already replied. The question is :

> "That this Assembly do proceed to elect, in such manner as the Honourable the President may direct, five non-official Members to serve on the Standing Committee to advise on subjects, with which the Labour Department, is concerned."

The motion was adopted.

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# 12

## *The Indian Tea Control (Amendment) Bill

**The Honourable Dr. B.R. Ambedkar** (Labour Member): Sir, in view of the observations which fell from my Honourable friend, Mr. Joshi it is only proper that I should rise to state the position of Government on the points that he has made. In a certain sense, the remarks of Mr. Joshi might appear to be irrelevant. We are discussing the Tea Control Act and obviously any provisions dealing with conditions of labour would be entirely out of place therein. But looking at it from a larger point of view, it must be admitted that when the State is asked to suspend the laws of supply and demand with regard to any industry, it is fair that those who are interested in labour should ask that their interests should be protected. And it is from this point of view that I say that a reply from Government is necessary.

Sir, the first point which Mr. Joshi made was that it is now more than 12 years since the Royal Commission on Labour reported and that the Government of India has practically done nothing with regard to the recommendations of that Commission. Sir, I agree that 12 years is a long period for any Government to lake in order to deal with the recommendations made by a Royal Commission which was appointed to investigate into this matter. But I think on the facts to which I propose to refer in the brief remarks that I am making, Mr. Joshi will realise and the House will also realise that much serious blame would not be laid at the door of the Government of India. As the Honourable Member will remember, the Royal Commission on Labour made five recommendations with regard to the tea plantation. First was that the Assam Labour Emigrant Act should be repealed and another Act permitting very much greater fluidity to the labour should be enacted. The second recommendation was to establish a wage board for fixing the wages of labourers there. Third recommendation dealt with the

*Legislative Assembly Debates (Central), Vol. II, 23rd March 1943, pp. 1370-73

appointment of a Board of Health for the welfare of labour in convenient areas with power to make regulations relating to the drinking water, sanitation, drainage, medical facilities and housing. The fourth recommendation was that provisions relating to the regular and prompt payment of wages and deductions to be made for advances made to labour should be applied to plantation labour. The last recommendation was that provision should be made in order that access to public should be provided to gardens.

Now, when the recommendations were made it is important to bear in mind that the Government of India without loss of time examined these recommendations in order to find out which was the proper authority to deal with them, and they came to the conclusion that except the first recommendation which dealt with the repeal of the Emigration Act and substitution of another, all these would legitimately be regarded as fundamentally of local concern. I do not think anybody could contend that the attitude taken by the Government of India in the matter of dividing responsibility with regard to these recommendations was incorrect. I submit that it was, in pursuance of the decision that the Government of India took on the recommendations of the Royal Commission on Labour they immediately addressed a despatch to the Assam Government informing them that liberty was given to the Local Government to deal with other recommendations, and the Government of India without loss of time, as the Honourable Members know, proceeded to pass the Act which is now on the Statute Book and which covers the first recommendation of the Royal Commission on Labour. Sir, unfortunately, for reasons of which I know very little, the Local Government of Assam did not move in the matter: and if I may say so my Honourable friend Mr. Joshi also, although he has been in the House right from the date when the recommendations were made, did not or does not appear to me to have taken up the question at all. But, Sir, if I may claim credit for the Government of India, the Government of India did move in the matter. I would like to inform the House that in 1938 when the Tea Control Act came up for extension in the Legislature, the Government of India did take initiative and approached the planting industry with a proposal for making enquiry into the conditions of labour in plantation. As my Honourable friends, Mr. Griffiths and Sir Frederick James will recall, even a Conference

was held between representatives of the Labour Department and the representatives of Planters.

**Maulana Zafar Ali Khan :** Why did not the Government of India take to task the Assam Government for not moving in the matter ?

**The Honourable Dr. B.R. Ambedkar :** The question may have been answered better by the Honourable Member in charge of the Department at that time. I came only yesterday and I know very little about it. The Honourable friend, Mr. Joshi, referred to the question, I am not prepared to say, we're being carried as to whether time had not arrived for making enquiries into the terms of the recommendations. Sir, I find that almost at a time when matters were heading for a decision the new Assam Government, which was the Congress Government, thought it fit to step into the matter and by a Resolution appointed a Committee on the 23rd May, 1939. It is quite natural that as a result of the step taken by the Assam Government the Government of India was bound to withdraw from the Held which by the terms of original despatch they had assigned to the Local Government for being dealth with. As my Honourable friend, Mr. Joshi, referred to the question, I am not prepared to say what exactly was the reason, but somehow there was a clash between the members who were on the Committee and the clash developed almost to a conflict with the result that the work of the Committee was suspended. Ultimately the Government of Assam took no action. All that they did was to issue a notification as to what happened and why the Committee was suspended. That brought matters to the end of July, 1939. Obviously every one knows, a few months after that war was declared, and it is impossible for anybody, either the Local Government or the Central Government, to have initialed an enquiry into the matter. I am sure these circumstances will convince Mr. Joshi that the Government of India is really not liable to be taken to task for any kind of inactivity on its part.

With regard to the main question as to whether Government does or does not consider the necessity of protecting the interests of labour, I would straightaway begin by saying that Government does regard this question as of paramount importance. I do not wish to go into the question as to the conditions of labour on the plantation. We hear in newspapers various figures given ; figures relating to wages in Ceylon,

figures given relating to wages on the Assam plantation. I am not prepared to give the imprimatur of Government to either sets of figures as to wages, etc. We have no exact data for the simple reason that so far no investigation has been made in the matter. But I do say one thing that the conditions on tea plantations are unregulated, that they vary enormously from one place to another. There is no common, uniform standard in the conditions of work and the Government of India does think that that is a state of affairs which it can tolerate. It is also clear that we cannot enter upon any legislation unless we have sufficient material brought before us by an impartial enquiry. This is not a condition which the Government of India can be said to have strutted out in order to block any move that may be made in the interests of protecting labour on the plantation. My honourable friend, Mr. Joshi, himself will recollect that this was one of the riders that was put by the Royal Commission on Labour themselves. The Royal Commission, while making the recommendation added a proviso that before these recommendations will be put into operation, specific enquiry ought to be made on the conditions in plantations. Now, Sir, the Government of India has no doubt that this enquiry must be made. Speaking for Government I am prepared to say that Government thinks that proper standards of welfare must be imposed on the plantations. There is no escape. What my Honourable friend, Mr. Joshi, said, I entirely support. It is not open for the Government of India to impose fair conditions of wages on Ceylon as a condition precedent and not applying the same standards of labour in India. The Government of India by the various Ordinances has laid down that wherever any restriction has been imposed upon labour, the Government of India will see that fair conditions of labour are granted to labour. These are the things which the Government of India considers it is bound to apply in the case of plantation labour. Nor can it be denied that whatever may have been the condition of the plantations in the long past, at present the condition of plantations is such that they can bear the weight of such wage standards as a Board may impose upon them.

Now, therefore, the only question that arises is this : can we institute an enquiry at the present moment ? There is no difference between my Honourable friend, Mr. Joshi, and myself as representing the Government of India on the two issues, namely that proper standards

must be imposed. As my Honourable friend, Mr. Joshi, and other Honourable Members of the House know very well, a large part of the tea estates are situated in the Eastern corner of India, Assam and Bengal. It is quite obvious that those areas are greatly exposed to enemy action. It is quite likely that any enquiry that may be started in that corner may have a very disturbing effect. Therefore, the only question that remains is whether we can begin that enquiry on the plantations which are situated in Southern India. I should like to tell the House how the plantations are divided between Northern and Southern India. The figures which I have and which relate to 1941 show that, so far as acreage of the tea plantations is concerned, in Northern India the acreage is 607,000, in southern India the acreage is only 163,132. So far as labour employed on plantations is concerned, in Northern India the labour employed is 773,969 while in Southern India the labour employed is only 144,385.

**Sir F. E. James** (Madras : European): That only refers to tea.

**The Honourable Dr. B.R. Ambedkar :** Yes, we are only talking about tea. It is obvious from the figures which I have given that the plantations in Southern India form a very small portion of the Tea Planting Industry in India.

**Maulana Zafar Ali Khan :** What is the acreage in Assam ?

**The Honourable Dr. B.R. Ambedkar :** I am taking the North and South. I am not taking Assam separately. Assam is included in Northern India. It is obvious from these figures that the plantations in Southern India form a very small portion of the total population working in tea gardens in this country. It seems to the Government of India that no kind of gain can arise either to the country or to the labourers by undertaking such a partial and limited inquiry. It is not possible to begin an enquiry which by the situation in which this war finds itself must necessarily be limited to so microscopic an area of the total plantations.....

**Mr. President** (The Honourable Sir Abdur Rahim): I must ask the Honourable Member to realise that the labour question arises only incidentally on this motion.

**The Honourable Dr. B.R. Ambedkar :** I have nothing more to say.

**Dr. Sir Zia Uddin Ahmad :** May I know whether the owners of

gardens were paid substantial sums of money for not growing tea at all and that was at the expense of the consumers ?

**The Honourable Dr. B.R. Ambedkar :** That is a matter which the Commerce Secretary will deal with.

**Some Honourable Members :** The question be now put.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

> "That the question be now put."

The motion was adopted:

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# 13

## *The War Injuries (Compensation Insurance) Bill

The Honourable Dr. B.R. Ambedkar (Labour Member) : Sir, I move:

> "That the Bill to impose on employers a liability to pay compensation to workmen sustaining war injuries and to provide for the insurance of employers against such liability be referred to a Select Committee consisting of Sir Vithal N. Chandavarkar, Mr. N.M. Joshi, Mr. Jamnadas M. Mehta, Mr. D.S. Joshi, Mr. Ilooseinbhoy A. Lalljee, Khan Bahadur Mian Ghulam Kadir Muhammad Shabhan, Mr. C.C. Miller, Mr. K.L.C. Gwilt, Maulana Zafar Ali Khan, Mr. Yusuf Abdoola Haroon, Hajee Chowdhury Muhammad Ismail Khan, Mr. II. A. Sathar II. Easak Sait, Mr. Amarendra Nath Chattopadhyaya, Mr. R.R. Gupta and the Mover, that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be five and that the Committee be authorised to meet at Simla."

**Mr. President** (The Honourable Sir Abdur Rahim): Has the honourable member given the names ?

**The Honourable Dr. B.R. Ambedkar :** Sir, I will hand over the list now.

**Mr. President** (The Honourable Sir Abdur Rahim): The names ought to have been given earlier.

**The Honourable Dr. B.R. Ambedkar :** Sir, I do not think it would be necessary for me to take much time of the House in order to command this measure to the Honourable members. The main provisions of the Bill are three. The Bill seeks to give compensation to workmen who may become victims of war Induries ; secondly, the Bill seeks to make employers liable for such compensation; and thirdly, the Bill seeks to compel employers to insure against liabilities imposed upon them.

Now, taking the question of compensation, the point to which I wish to draw the attention of the House is that this Bill is a linked measure. It is linked to Workmen's Compensation Act. Now, Sir, the relationship

*Legislative Assembly Debates (Central), Vol. II, 31st March 1943, pp. 1649-51.

of this Bill to the War Injuries Ordinance to which I have made a reference is plain. As Honourable Members will recall, the War Injuries Ordinance, 1941, defines what is called the qualifying injuries. Those injuries are classified in that Ordinance. What the present Bill does is to adopt in the main the scope and limits of the qualifying injuries as has been defined in the War Injuries Ordinance. As to the question of relationship of the present Bill to the Workmen's Compensation Act that will be clear to the Honourable Members from the fact that the amount of compensation which has been fixed in this Bill for the victim of war injuries more or less follows the scale that has been fixed in the Workmen's Compensation Act.

Now, Sir, the reason for bringing this measure is this : After the War Injuries Ordinance was passed in 1941 a question was raised, a question which is of substance and if I may say so, of some importance and that question is whether the payment made to a workman who unfortunately happened to sustain what is called the qualifying injuries should be a sort of relief or should be compensation. The difference between relief and compensation is quite obvious. Relief is merely to help a person to get over the difficulties to which he might be reduced by reason of the incapacity which he suffers by a war injury and which prevents him from earning him normal wages. Compensation, on the other hand according to the terms of the Workmen's Compensation Act, seeks to make payment which compensates him fully for the loss which he incurs. When this question was raised a reference was made to the conditions that were prevailing in England and it was found that the British Parliament passed an enactment which is known as the War Injuries Miscellaneous Act of 1936. On examination of the provisions of this English Law it was found that the payments which were allowed under that Act amounted to compensation and not merely relief. Obviously the question arose whether it was not desirable for the Government of India to follow the principle which was laid down in this English statues. Secondly, some of the employers, on their own accord after the passing of the War Injuries Ordinance of 1941, addressed a letter to the Government of India stating that from their point of view the provisions made in the War Injuries Ordinance were not sufficient for the maintenance of the morale of labour and that compensation should be paid in order that the labourers working in

disturbed areas may remain steady at that work. From both these points of view the Government of India accepted the principle of giving compensation to workmen in place of what was originally thought to be only relief.

On examining the provisions of the War Injuries Ordinance, it was found that at a level of about Rs. 24, the payments made under the War Injuries Ordinance constituted not only relief but also compensation. What is therefore necessary to do is to give the workman drawing a salary above Rs. 24 additional rebate which will make payments made to him amount to compensation; that is to say to supplement what he gets under the ordinance so that what he will get will also amount to compensation. This measure therefore is a measure which is a supplementary measure, which supplements the provisions of War Injuries Ordinance of 1941.

Having explained to the house the main provision, namely of compensation and how the Bill was linked up to the War Injuries Ordinance as well as to the Workmen's Compensation Act and having explained to the house the reason which led the Government of India to bring in this supplementary legislation, I will proceed to explain the second main provision of the Bill, namely to make the employer liable for such compensation. It might be said that while under the provisions of the War Injuries Ordinance, it was government which was undertaking the liability to pay relief, the Government also should undertake similar liability for making compensation to those to whom this present Bill applies. It is quite obvious that it is not possible for Government to undertake the liability which under the circumstances of the case may almost amount to anything because if India remains as it is, there may be no liability arising out of this. Or, if the situation worsens, the liability may be quite indefinite and having regard to the capacity of the Government of India, it is quite obvious that the Government cannot be asked to undertake such indefinite liability. Secondly, I do not think that much can be made of the fact that Government is not undertaking liability in this matter for it will be realised that whatever amount of compensation the employer may be called upon to pay under the liability which we are imposing upon him, it would no doubt be regarded as an admissible revenue expenditure

under E.P.T., and consequently in the main the burden would ultimately fall upon the Treasury.

I might also mention that while the Government of India is seeking to impose this liability upon the employers, the Government of India is not forgetting its own obligations to its own employees. Honourable members will find a clause there stating that this Bill does not apply to servants of the Crown or to employees of the Federal Railway. But that does not mean that these employees are not going to get the benefit similar to those which we are providing in this Bill. I should like to inform the House that the Federal Railways as well as the Government of India have informed their employees that they would be prepared to extend the provisions of extra pensions which are contained in the Civil Service Regulations and in the Statutory Rules governing the employment of railwaymen.

Now, Sir, the third provision which seeks to compel the employer to ensure the liability imposed upon him is, I claim to be, a very necessary and a very salutary provision. The object of making this provision is to ensure that the workmen at all time will get the compensation for which this Bill seeks to make provision. It may be, as the House may well realise, that if a factory is bombed or demolished, the assets of an employer are destroyed and if any provision of the sort that is sought to be made in this Bill is in existence, notwithstanding the benefit which the Act extends to the workmen, it may in the final analysis leave the workmen where they are without any opportunity of getting compensation which is provided for. Insurance therefore is guaranteed to the workman that in all circumstances the benefits which the Bill seeks to give him will be there for him, if he is so unfortunately situated as to receive the war injury. The working of the system will be somewhat as follows. The payment will be made by the employer to the employee in the first instance in regard to the terms of the Bill. The employer will be reimbursed out of an insurance fund which may be managed by the Government. The employer will contribute to this insurance fund the premium which will be settled at the end of the war when the total liability will be known. In the meanwhile, Government will be recovering advances from employers against the final premium which will be settled after the war. The quantum of advance will vary from quarter to quarter. In the first quarter the advance will not exceed

eight annas per 100 of the Wage bill. For subsequent quarters it will change depending upon the liability that may be outstanding. It may be that there have been no casualities in the preceding quarter. If that is so, it is obvious that no advances will be recovered from the employer. As I said, the advantage of the insurance scheme is that it ensures the workmen a payment, secondly the risk is distributed-safer areas which are not exposed to any attack will also be contributing towards the payment of compensation to workmen living and working in areas which have been attacked. Thirdly, the burden is proportionate because it is based upon the Wage bill of each employer.

It will therefore be seen, Sir, that the Bill is a very simple measure. I would also say that it is a non-controversial measure. The House would like to know that the idea of the Bill came from the Millowners Association in Bombay in the beginning of 1942. After the suggestion was sent to the Government of India, there was an informal conference held in April 1942 between the Secretary of the Labour Department, Sir Henry Richardson, Sir Frederic James, Mr. Haddow, Mr. Gwilt and Mr. Hooseinbhoy Lalljee. On their suggestion, the employers were consulted, two employers organisations were approached and two All-India organisations of Industrial employers have completely supported the measure. With regard to employers Federation, that organisation unfortunately was divided. One section is in favour, and the other is not. So far as labour representations are concerned, the Standing Labour Committee unanimously recommended this measure. I do not think that anything more is necessary to enable the house to understand fully the provisions of this Bill. Sir, with these remarks, I move.

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***The Honourable Dr. B.R. Ambedkar :** Sir, I am glad to find such a general support accorded to the measure which I had the pleasure of moving this morning. The words of criticism which have emerged are indeed surprisingly few and most of them came from my Honourable friends, Mr. Miller and Mr. Joshi. My Honourable friend, Mr. Miller, said that it was necessary that the Government should give more information with regard to the measure. I shall always be glad to give him whatever information he wants if he would kindly let me

*Legislative Assembly Debates (Central), Vol. II, 31st March 1943, pp. 1659-61.

know the points which are troubling his mind. With regard to the other question which he raised, namely, that in his mind there appeared a certain discrimination between the rates we were paying under the War Injuries Ordinance and the rates we proposed to pay under the present measure, I fear he is labouring under a misapprehension because, as I tried to make out, the object of this measure is really to equalise the position of those who are covered by the War Injuries Ordinance and of those who are going to be covered by the present measure. As I pointed out, on examination of the rates we offered to the war injuries victims, we found that those who drew Rs. 24 and above only got relief and those who drew Rs. 24 and below got compensation. And what we propose to do now by this measure is to give compensation to those who stand above Rs. 24. Therefore, my Honourable friend will see that far from creating a position which will be called discriminatory, we are really equalising the position of all workmen to which both these measures are going to apply. I quite appreciate the point that my Honourable friend, Mr. Miller, made, namely, that this measure is restricted to a certain type of workmen or certain classes of workmen who are defined in clause 5. That is quite obvious from the provisions of the Bill itself. But, as I pointed out, having regard to two circumstances, firstly, that it is not possible for Government to undertake the liability of paying compensation to all workmen and, secondly, having regard to the fact that any scheme of insurance which Government can put forth must be administratively workable, it follows that Government cannot spread itself out to cover all sorts of workmen because, as I said, it would be too much of liability for Government to take and the scheme will become administratively unworkable. In order that we may run the insurance scheme, it is quite obvious that we must be able to locate an employer on whom we can definitely place the liability and from whom we can recover the premium. In the case of general population it is not possible to locate someone on whom this liability could be imposed and from whom the premium could be demanded. That is certainly the reason why we have been required to limit the scheme to certain classes of workmen who have been defined in clause 5. My Honourable friend, Mr. Miller, said that we have given no justification for confining our scheme to the classes of workmen who have been defined in clause 5. Some of the answers which I could

have given to him have already been given by my Honourable friend, Mr. Joshi, and I do not propose to repeat them. The answer really is to be found in the Statement of Objects and Reasons itself. The Statement of Objects and Reasons (paragraph 2) makes it clear that they are exposed to danger in factories and other industrial concerns. That, I submit, is as good a reason as any could be given for confining this measure to the classes of workmen who are defined therein. It cannot be denied that factories and industries are easy targets for enemy attack and the people working there are, therefore, more exposed to danger than the general population.

With regard to the question raised by the Honourable friend, Mr. Joshi, that this Bill does not apply to all workmen and he pointed out two particular cases in which he desired that the provisions of this Bill should be extended, namely, to the labourers working in Assam on tea plantations and seamen, are, no doubt, cases which require some particular answer. Now, Sir, my general answer to the criticism of Mr. Joshi, with regard to these two particular points is this, that Government is quite aware of what he has said and that is the reason why Government has introduced sub-clause (c) in clause 5, whereby Government has reserved to itself the power of extending the provisions of the Bill to other workmen employed in any employment. Government does not regard that the categories of workers defined are the final and that no occasion may arise to include others.

**Dr. P.N. Banerjea :** It is not exhaustive.

**The Honourable Dr. B.R. Ambedkar :** It is not exhaustive and, therefore, if a situation arises when it becomes clear to Government that the provisions of this Bill should be extended to workmen employed in other employments, Government will undoubtedly consider the matter.

With regard to the question of Assam, the only point I would like to make is this that, as I said, we are confining the measure to workmen who are living in what might be called exposed centres. To my mind and according to the information we have at present, it cannot be said that the tea plantations are exposed centres. If at any time the plantations do become exposed centres and subject to risk, there is no doubt about it that either Mr. Joshi may move in the matter or

Government will take notice and see that the provisions of this Bill are extended to the labourers in Assam.

With regard to the seamen, I think the matter was brought forward by the Commerce Department and I understand that there is a measure already in existence whereby a provision, if not of the same force, at any rate, analogous to the scheme that we are having, is already in existence. If my Honourable friend, Mr. Joshi, thinks that it is desirable that the Select Committee should examine and make some provision, if that provision is not incongruous with the main features of the Bill, I certainly will raise no objection for his considering the matter in the Select Committee.

My Honourable friend, Mr. Miller, referred to one or two clauses in the Bill. The first was sub-clause 5(3). To that I have given my reply that Government has deliberately introduced that sub-clause by way of caution because Government thinks that the expedience may arise whereby the provisions of this Bill may have to be extended.

The other section to which he referred was section 10 of sub-clause (3). His point of criticism was that by this provision Government proposes that if any balance is left out of the fund the excess will be paid into the general revenues. I understood Mr. Miller to say that this policy of the Government of India was not justified by the circumstances of the case. But if Mr. Miller will bear in mind the fact to which I have already referred, namely, that a good part of the money which will be paid as premia by the employers to this fund will come out of the E.P.T., then it is only proper that Government should be the residuary legatee of such balance. Sir, I have nothing more to say.

**Mr. E.L.C. Gwilt** (Bombay: European): May I ask a question from Honourable Member ? He said in his opening speech that it is the Millowners' Association that initiated the scheme.

**The Honourable Dr. B.R. Ambedkar :** They made a suggestion.

**Mr. E.L.C. Gwilt:** Did not they also make a suggestion that any money left in the fund after the compensation is completely paid should be devoted to industrial research and if so, will my Honourable friend give consideration to that suggestion ?

**The Honourable Dr. B.R. Ambedkar :** I have no memory, but I will look into the matter.

**Mr. Chairman** (Syed Ghulam Bhik Nairang): The question is :

"That the Bill to impose on employers a liability to pay compensation to workmen sustaining war injuries and to provide for the insurance of employers against such liability be referred to a Select Committee consisting of Sir Vithal N. Chandavarkar, Mr. N. M. Joshi, Mr. Jamnadas M. Mehta, Mr. D.S. Joshi, Mr. Hooseinbhoy A. Lalljee, Khan Bahadur Mian Ghulam Kadir Muhammad Shahban, Mr. C. C. Miller, Mr. E.I.C. Gwilt, Maulana Zafar Ali Khan, Mr. Yusuf Abdoola Haroon, Hajee Chowdhury Muhammad Ismail Khan, Mr. H.A. Sathar H. Essak Sait, Mr. Amarendra Nath Chattopadhyaya, Mr. R.R. Gupta and the Mover, that the number of Members whose presence shall be necessary to constitute a meeting of the Committee shall be live and that the Committee be authorised to meet at Simla."

The motion was adopted.

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# 14

# * Employment Exchanges for Skilled and Semi-Skilled Personnel

### *Standing Labour Committee Discussions*

Questions relating to labour welfare, war production, the employment of skilled and semi-skilled personnel, industrial disputes and the collection of statistical information on labour problems were discussed at the third meeting of the Standing Labour Committee, in Bombay on May 7 and 8. The Hon'ble Dr. B. R. Ambedkar, Labour Member, presided.

Opinion, in general, favoured the scheme for establishing employment exchanges for skilled and semi-skilled personnel, the scheme being conducted on a voluntary basis. The suggestion that there should be representatives of Provincial Governments on the advisory committees attached to Employment Exchanges was also adopted.

The Conference discussed the insertion of a Fair Wage Clause in Government Contracts. There were suggestions that contracts other than those of the public Works Department should also be covered.

### Labour Legislation

The plan for labour legislation and labour welfare during wartime covered aspects like social security, wages and welfare ; and the question whether Wage Boards were desirable in India also came within the scope of discussion. The delegates were assured that the Government of India were anxious to use the machinery of the Tripartite Conference as an advisory body to help them in achieving further progress in respect of labour welfare measures.

It was generally agreed that it was advisable that Labour Officers should be appointed in industrial undertakings, to maintain close touch with labour, hear its grievances and secure redress as expeditiously as

*Indian Information, June 1, 1943, p. 431

possible. Reference was made to the Bombay Millowners Association's scheme for training of Labour Officers.

The meeting was attended by the following delegates and advisers from Provinces and Indian States and representatives of Employers and workers all over India :—

Government of India: Mr. H.C. Prior, C.I.E., I.C.S., Secretary, Labour Department; Dr. D.T. Jack (Adviser); Mr. R.S. Nimbkar (Adviser); Sir Theodore Gregory (Adviser); and Mr. D.S. Joshi, (Secretary to the Meeting).

Bombay : Mr. C.H. Bristow, C.I.E., I.C.S., Adviser to H.E. the Governor ; Mr. G.B. Constantine, I.C.S., Labour Commissioner (Adviser).

Bengal: Mr. A. Hughes, I.C.S., Labour Commissioner.

United Provinces: Mr. J.E. Pedley, C.I.E., M.C., I.C.S., Labour Commissioner.

Madras and Central Provinces and Berar : Rao Bahadur N.R. Chandorkar, Labour Commissioner, C.P. & Berar; Mr. F.R. Brislee, I.C.S., Labour Commissioner, Madras (Adviser).

Punjab, Sind & North-West Frontier Province : Mr. A.P. Le Mesurier, I.C.S., Labour Commissioner, Sind ; Mr. Amin-ud-Din, I.C.S. Secretary, Electrical and Industries Department, Punjab (Adviser).

Bihar, Assam & Orissa: Mr. S. N. Mazumdar, I.C.S., Labour Commissioner, Bihar ; Mr. A.S. Ramachandran Pillai. Labour Commissioner, Assam (Adviser); Mr. S. Solomon, I.C.S., Director of Industries and Chief Inspector of Factories, Orissa (Adviser).

Chamber of Princes : Mr. Maqbool Mahmood, Secretary, Chamber of Princes.

Hyderabad, Mysore, Travancore, Baroda, Gwalior and Holkar States : Mr. Mahdi Ali Mirza, Labour Commissioner, Hyderabad ; Col. Sirdar M.N. Shitole, Minister of Industries, Commerce and Communication, Gwalior; Mr. B.G. A. Mudaliar, Labour Commissioner, Mysore (Adviser); Mr. E.I. Chacko, Director of Industries and Labour Commissioner, Travancore (Adviser), Mr. K.R. Dotiwala, Director of Industries and Labour Baroda (Adviser); Captain H.C Dhanda, Commerce Minister, Holkar State (Adviser).

All-India Organisation of Industrial Employers : Sir Rahimtoola M. Chinoy, Bombay; Mr. Kasturbhai Lalbhai, Ahmedabad ; Mr. D.G. Mulherkar, Delhi (Adviser).

Employers' Federation of India : Sir V.N. Chandavarkar, Bombay ; Mr. K.W. Mealing, Calcutta ; Mr. A.H. Bishop (Adviser).

Other Employers : Dewan Bahadur C.S. Ratnasabapathy Mudaliar, C.B.E., Coimbatore.

All-India Trade union Congress : Mr. N.M. Joshi, Bombay, Mr. Fazal Elahi Qurban, Lahore ; Mr. B.K. Mukerjee, Lucknow (Adviser); Mr. P.R.K. Sharma, Madras (Adviser).

Indian Federation of Labour: Mr. S. Guruswamy, Madras; Mr. S.C. Mitra, Cawnpore ; Mr. M. A. Khan, Lahore (Adviser).

Other Workers : Mr. R.R. Bhole, M.L.A. (Bombay) Poona.

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# 15

## * The Indian Boilers (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member), Sir, I move :

> "That the Bill further to amend the Indian Boilers Act, 1923, be taken into consideration."

This measure is a very simple measure. It is a non-controversial measure and it does not involve any matter of principle. Having regard to these considerations, I do not propose to deal at any very great length in explaining the provisions of the Bill. It will be sufficient if I tell the house the circumstances which have led Government to bring in this amending Bill. Briefly, the circumstances are these.

On the 23rd February 1942 there occurred in a mill in Bombay a boiler accident which resulted in a very serious loss of life. When this accident occurred, an enquiry was made by the Government of Bombay in order to ascertain the cause of this accident. It was found as a result of the enquiry that the explosion was due to something that was wrong in the apparatus which is called an "economiser". To put it specifically, it was pointed out that the tubes of the economiser, which I understand are technically called "feed pipes", had been weakened as a result of long internal corrosion. This result of the enquiry came as a matter of surprise to Government because under the Indian Boilers Act, 1923 there is a provision made for the Boiler Inspector to regularly inspect boilers and issue certificates that the boilers were in working order. The question arises as to how the boiler Inspector permitted himself to issue a certificate, knowing that the feed pipes of the economiser had become unfit for work. It was then found out that having regard to the regulations issued under section 28 of the Indian Boilers Act, it was not the duly of the boiler Inspector to examine the feed pipes or any other auxiliary apparatus that was connected with

*Legislative Assembly Debates (Central), Vol. III, 29th July 1943, pp. 176-77.

the boiler, and it is because of this fact that the feed pipes were not examined in the case of this particular boiler which exploded. It is to remove this lacuna that the present amending Bill has been brought in.

The present Bill makes two amendments. The first amendment is to introduce a new clause (*cc*) to section 2, which is an interpretation clause. It adds a new term called "feed pipe" and defines what is a feed pipe. The second amendment is to enlarge the scope of what is called a "steam-pipe". According to the law as it stands to-day, the steam-pipe means the main pipe only and under the amendment the steam-pipe will now include not only the main pipe but also the feedpipe. After this amendment has been carried, it would be possible for Government to amend the regulations framed under section 28 in order to make it obligatory upon the Boiler Inspector not only to examine the steam-pipes but also the feed-pipes. It is because of this that the present Bill has been brought in. Sir, I move that the Bill be taken into consideration.

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved :

> "That the Bill further to amend the Indian Boilers Act, 1923, be taken into consideration".

**Mr. C.C. Miller** (Bengal: European): There is one small point on which I would seek enlightenment from the Honourable Member. It relates to the system of feed-pipes known as the economiser. This is an adjunct to but not an essential part of a boiler and I take it that the Inspector would not be legaly entitled to refuse a certificate for a boiler being in good condition because of there being some defect in the feedpipes provided the owner undertook to disconnect the feed-pipes ?

**The Honourable Dr. B.R. Ambedkar :** My friend will understand that it is not possible for me to give a categorical answer, but as I am advised, he is quite correct in making the assumption that he has made.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

> "That the Bill further to amend the Indian Boilers Act, 1923, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

**The Honourable Dr. B.R. Ambedkar :** I move that the Bill be passed.

**Mr. President** (The Honourable Sir Abdur Rahim) : The question is :

"That the bill be passed."

The motion was adopted.

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# 16

## * The Motor Vehicles (Drivers) Amendment Bill

**The Honourable Dr. B.R. Ambedkar** (Labour Member): Sir, I move :

> "That the Bill to amend the Motor Vehicles (Drivers) Ordinance, 1942, be taken into consideration."

This is a simple measure. As the House will remember, there have been several Ordinances by which the services of several persons have been requisitioned by Government.

**An Honourable Member :** How many in all ?

**The Honourable Dr. B.R. Ambedkar :** I am afraid I have not got the information but I think the general fact is quite well known. The Ordinance which requisitions the services of motor drivers is one of those. After the Ordinance was passed, it was discovered that there was one provision which was present in other Ordinance, but was absent in the Motor Drivers Ordinance. That provision was that there was not anything in the Ordinance requiring the owner to re-employ a motor driver after his services were dispensed with by the authority which had requisitioned his services. It is to fill this gap that the present Bill has been brought in. The purposes of the amendment are three-fold. The amendment declares the employer's liability to re-employ a driver where his services have been dispensed with by Government. Secondly, it lays down a method for the settlement of disputes as to the liability of the employer. The Bill provides reference to authority nominated by the Provincial Government on their behalf; and thirdly, there is a penalty for non-compliance with the orders passed by the authority. Other provisions in the Bill relate to the limitations on the right of employment which has been given to a motor driver and they are two-

*Legislative Assembly Debates (Central), Vol. III, 29th July 1943, p. 178.

fold. In the first place, a motor driver must have been in continuous service for a period of six months before he can claim the right to re-employment. Secondly, he must have applied for re-employment within two months from the date of discharge from the national service. These conditions being satisfied, this present Bill puts him on the same level with other persons whose services have been requisitioned. I have nothing more to say with regard to this Bill. With these remarks, Sir, I move.

**Mr. President** (The Honourable Sir Abdur Rahim) : The question is :

> "That the Bill to amend the Motor Vehicles (Drivers) Ordinance, 1942, be taken into consideration."

The motion was adopted.

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**Mr. President** (The Honourable Sir Abdur Rahim) : Clause 2.

***Sir Cawasjee Jahangir** (Bombay City : Muhammadan Urban) : Sir, this is the main clause of the Bill, clause 2, so far as I can make out. I see that the reason for the Bill is to find Employment for such motor drivers as may have been requisitioned by Government for war purposes and the attempt is to make the previous employer employ that motor driver under two conditions, provided he has been in the employment of the original employer for six months and he applies for employment within two months..... If the Honourable Member will take these points into consideration, he may take time over it. I think the Honourable Member will be doing well by the public and this Honourable House.

**The Honourable Dr. B.R. Ambedkar :** With regard to the observations which have fallen from my Honourable friend, Sir Cowasjee Jehangir, I am bound to say that he has really given a very big and a dark colour to what is likely to happen when an employer is called upon to reinstate his former driver. He seems to think that this matter, once it becomes a subject matter of dispute, would assume a form which lawyers call a long civil suit. But I am sure it will be shorter than a shortcoat. We have made provision that the Provincial

*Legislative Assembly Debates (Central), Vol. III, 29th July 1943, pp. 179-80.

Government will appoint an authority and I have no doubt that that authority will be an authority which would be satisfactory to both sides.

**Sir Cowasjee Jehangir :** How are we to know that ?

**The Honourable Dr. B.R. Ambedkar :** We must trust the Provincial Government to do its best.

**Sir Cowasjee Jehangir :** Does not the Honourable Member know that when such an authority is appointed, the rules and regulations are very elaborate and that it always causes considerable inconvenience, however simple the issue may be.

**The Honourable Dr. B.R. Ambedkar :** It cannot be so inconvenient as to make it difficult for people to settle the matter expeditiously and I therefore think that there is really no very great substance so as to compel me to withhold this measure. I think the points that may arise will be points of very small dimensions which could be settled without much difficulty or worry to either side.

**Mr. President** (The Honourable Sir Abdur Rahim) : The question is :

> "That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3 was added to the Bill.

Clause 1 was added to the Bill.

The Tide and the Preamble were added to the Bill.

**The Honourable Dr. B. R. Ambedkar :** Sir, I move that the Bill be passed.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

> "That the Bill be passed."

The Motion was adopted.

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# 17

## * The Mines Maternity Benefit (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move :

> "That the Bill to amend the Mines Maternity Benefit Act, 1941, be taken into consideration."

It might be desirable if I explain to the House why this amendment has become necessary. Under the Mines Maternity Benefit Act, a woman working in the mine is entitled to maternity benefit for a period of 8 weeks, at the rate of 8 annas per day. This period of 8 weeks is divided into two parts of four weeks each, one part preceding delivery and another part succeeding delivery. The four weeks before delivery is a period of optional rest during which a woman may work and get full wages or absent herself and gel the maternity benefit. With regard to the four weeks succeeding delivery, it is a period of compulsory rest during which the woman must not work. In fact it is unlawful and criminal for her to work, and be content only with the maternity benefit. Section 5 of the Maternity Benefit Act provides for the payment of maternity benefit and if Honourable members will refer to the works as they stand in line 9 of that section, they will find that the words as they stand are 'absent from work'. Now, it has been suggested that these words, particularly 'absent from work' or rather 'from work' are words which are ambiguous and I will briefly explain to the House why it is suggested that these words 'from work' introduce a certain amount of ambiguity.

It is said, suppose the mine was closed by the owner on a particular day, would the woman be entitled to maternity benefit ? It is suggested that she would not be, because the implications of the words 'absent

* Legislative Assembly Debates (Central), Vol. III, 29th July 1943, p. 180.

from work' mean that there is work, but when a mine is closed there is no work. Therefore, the existence of the words 'from work' has introduced this ambiguity. I have compared section 5 with the five different Maternity Benefit Acts which have been passed in the different provinces and I find that these words ' from work ' do not exist. Consequently, it has become necessary to remove this ambiguity by removing these words. The amendment is sought to be carried out by two different amendments. One is to delete the words which have caused this ambiguity from section 5 and make the section read to the effect that 'for every day during the four weeks preceding delivery the woman would be entitled to maternity benefit. With regard to the days on which she choose to amend—and as I told the House, the four weeks preceding delivery are periods of optional rest when she may choose to go and earn her full wages or stay at home and be content with maternity benefit—we have added a proviso that she shall not be entitled to any maternity benefit at all. With these words, I move.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is.

> " That the Bill to amend the Mines Maternity Benefit Act, 1941, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

**The Honourable Dr. B. R. Ambedkar :** Sir, I move that the Bill be passed.

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

> " That the Bill be passed."

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# 18

## * The War Injuries (Compensation Insurance) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move :

> " That the Bill to impose on employers a liability to pay compensation to workmen sustaining war injuries and to provide for the insurance of employers against such liability, as reported by the Select Committee, be taken into consideration."

The principles which underlie this Bill have already been explained by me at the last time when the Bill was before the House and it is unnecessary for me therefore to traverse the same ground over again. I would briefly like to point out to the House the changes of principle which the Select Committee have made in the original Bill. The House must have noticed that although there are very many changes which the Select Committee has made, there are really four which are matters of principle. In the first place there has been an enlargement of the category of workmen to which this Bill is made applicable ; we have now included workmen employed in plantations. The second change made relates to the rate of the first contribution which is to be made to the insurance fund. The Bill as it originally stood permitted Government to levy a rate of annas eight per Rs. 100 of the wage bill of an employer; the Select Committee has reduced the rate from eight annas to four annas. The third change made relates to the use of the unspent balances in the insurance fund. The original proposal in the Bill was that the balance left in the fund should be merged in the general revenue and should be used for the general purposes of Governmental expenditure. The Select Committee has made a change and provided that the blance should be returned to the employer who have made the contribution in proportion to the contributions made by them. The fourth change relates to contract labour. It is now provided that in cases

* Legislative Assembly Debates (Central), Vol. III, 13th August 1943, p. 701.

where the employer engages a contractor who in his turn engages workmen to carry out the work he has taken on contract, the employer who employs the contractor will nonetheless remain responsible for the payment of the compensation.

These are the principles which have been touched by the Select Committee in the changes which have been made. As the house will see, there are several amendments on the agenda to the Bill. Some of the amendments are matters of procedure and they have been put forth by Government largely for the purpose of meeting such criticism as was levelled against the Bill after it emerged from the Select Committee, and I hope there will not be much contention on these amendments.

Sir, I do not think it is necessary for me to say anything further on this Bill. I move.

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved.

> " That the Bill to impose on employers a liability to pay compensation to workmen sustaining war injuries and to provide for the insurance of employers against such liability, as reported by the Select Committee, be taken into consideration."

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***The Honourable Dr. B. R. Ambedkar :** Sir, I do not think anything has emerged from the speeches which have been delivered by Honourable Members who have taken part in this debate which calls, for any detailed reply. As I scrutinise the points made, I find that there were certain points which could have been relevant only at the time when the Bill was read for the first time. I remember that they were raised and I also remember that I attempted to give what reply I could at that stage. I do not wish, therefore, to spend any more time in discussing the thing over again.

With regard to the point that has been made with regard to certain specific clauses in the Bill as well as the amendments that are on the agenda paper, I think it would be best in the interests of economy of time that I should not devote any part of my speech to them at this stage. It would be germane, proper and relevant if the matter was taken up at the time when the amendments were moved.

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* Legislative Assembly Debates (Central), Vol. Ill, 13th August 1943, p. 708.

***Mr. President** (The Honourable Sir Abdur Rahim) : Amendment moved:

> " That for clause 6 of the Bill the following be substituted :—
>
> ' 6 This Act shall apply to all those workmen to whom the Workmen's Compensation Act, 1923, applies ' ".

**The Honourable Dr. B. R. Ambedkar** : Sir, I am afraid I have to oppose this amendment. I think my Honourable friend Mr. Joshi will realise that my opposition is not based upon any want of sympathy for workmen.

**Mr. N. M. Joshi:** I did not say that.

**The Honourable Dr. B. R. Ambedkar:** I think my Honourable friend Mr. Joshi will realise that if his amendment is adopted, practically there would be a serious limitation imposed upon the number of workmen who would be entitled to the benefit of this Bill. First of all, Sir, as Mr. Joshi said, we must go rather cautiously in this matter because his Act presupposes that there is a body of organised employers on which this liability can be imposed. It is a question of collecting premia, and you cannot collect premia from people who are merely walking in the streets. You must have some organisation on which you can fasten this liability and one has therefore to go very cautiously in including the number of workmen that could be included in this Bill. The second difficulty that I feel is this, that really speaking the acceptance of the amendment of Mr. Joshi would not enlarge the category of workmen which are included at present in this Bill. Sir, I have very carefully examined the Workmen's Compensation Act and I find that there are altogether nine different categories of workmen to which that Act applies. Comparing the categories of workmen to which we propose to apply this Act with the categories of workmen to which the Workmen's Compensation Act applies, I find that there is only one difference. The Workmen's Compensation Act applies to buildings and public works. That is the only category of workmen to which the present Bill does not apply. On others, both the Bills—the Workmen's Compensation Act as well as this Bill—are on a parity. Then the other difference is this. If we apply the Workmen's Compensation Act, as it stands, obviously that will bring in with it the definition of workmen which is given in the Workmen's Compensation

* Legislative Assembly Debates (Central), Vol. III, 13th August 1943, p. 710.

Act. My Honourable friend Mr. Joshi will remember that the definition of workmen in the Workmen's Compensation Act is a very circumscribed and limited definition. It excludes from the category of workmen, workmen who are casual employees, and one does not know what would be the number of casual employees that may be employed in any particular industry to which this Bill applies. My Honourable friend Mr. Joshi will also recollect that the Workmen's Compensation Act excludes the category of people who are employed in clerical capacity. Our Bill does not exclude either the casual employee or the people employed in clerical capacity. I think Mr. Joshi will agree that although on an examination he will find that some minor category of workmen has been omitted, the definition of workmen is much larger than what it is under the Workmen's Compensation Act. I hope that my Honourable friend will, on this assurance, withdraw his amendment.

* * *

* **Mr. President** (The Honourable Sir Abdur Rahim) : The question is :

> " That for clause 6 of the Bill the following be substituted :—
>
> ' 6. This Act shall apply to all those workmen to whom the Workmen's Compensation Act, 1923, applies' ".

The motion was negatived.

**The Honourable Dr. B. R. Ambedkar :** My next amendment No. 5 is dependent upon clause 3 which the House now agreed that it should stand over.

**Mr. President** (The Honourable Sir Abdur Rahim) **:** Is this in sub-stitution of the other amendment? Do I understand that if this amendment is carried, then in that case, amendment No. 3 to clause 3 will be unnecessary ?

**The Honourable Dr. B. R. Ambedkar :** No, Sir. It is necessary. Both are necessary.

**Mr. President** (The Honourable Sir Abdur Rahim): In that case, I do not see why you cannot move this amendment now.

**The Honourable Dr. B. R. Ambedkar:** I will move this amendment No. 5 now. Sir I move :

> " That sub-clause (2) of clause 6 of the Bill be omitted."

* Legislative Assembly Debates (Central), Vol. III, 13lh August 1943, p. 711.

Not much explanation is necessary in support of this amendment. As the House will recall, the clause as it stands makes the Bill exclude Government employees and railway servants from the application of this Bill. When I moved the first reading of the Bill I told the House that although this Bill did not apply to this category of workmen, Government had made ample provision to pay compensation to their own servants. Unfortunately my speech evidently did not carry conviction to some Members of the House, and they still persisted that instead of taking responsibility in an administrative manner, responsibility should be imposed by statute. Sir, I have thought it fit to accept the suggestion made and therefore I shall be at a later stage moving the amendment which stands in my name to clause 3. Sir, I move.

**Mr. President** (The Honourable Sir Abdur Rahim): Amendment moved:

> " That sub-clause (2) of clause 6 of the Bill be omitted."

* * *

* **Mr. President** (The Honourable Sir Abdur Rahim) : The question is:

> " That clause 6, as amended, stand part of the Bill."

The motion was adopted.

Clause 6, as amended, was added to the Bill.

**The Honourable Dr. B. R. Ambedkar :** Sir, I move :

> " That to part (g) of sub-clause (5) of clause 7 of the Bill the following further proviso be added :
>
> ' Provided further that the rate of any periodic payment after the first shall not be higher than the rate estimated to raise the amount in the Fund after repayment of the advances, if any, paid into the Fund by the Central Government under sub-section (*2*) of section 11, to a sum of rupees fifteen lakhs ' ."

This Proviso is again intended to meet the fears of some of the Members representing the class of employers. It was feared by them that we might use the provisions of this clause as it stood originally to raise any amount of fund and to build it up when it was practically not necessary for the purpose for which that was intended. I had originally given an assurance on the floor of the House that it was not the intention of Government to use powers which they have got under this Bill to raise unnecessary fund to build it up and thereby inflict

* Legislative Assembly Debates (Central), Vol. III, 13th August 1943, p. 712.

a sort of injury upon the employers. There again, Sir, my statement did not satisfy them, and I have thought it best to give them the satisfaction by introducing this clause. As will be seen, a limit has been placed of rupees fifteen lakhs upon the balance on the fund, and I think this amendment will be accepted by them in the spirit in which it is intended, namely, to appease those who feel jealous about the Government's power of taxation. Sir, I move.

* * *

* **Mr. President** (The Honourable Sir Abdur Rahim): Amendment moved:

> " That in sub-clause (2) of clause 9 of the Bill after the word 'fails' occurring in the second line the words 'after due notice' be inserted."

**The Honourable Dr. B. R. Ambedkar :** I appreciate the force of the necessity of giving some notice, but I would like to inform the Honourable Member that there is a provision for notice, although that provision does not appear in the Bill itself. He will realize that the important words in the body of clause 9 are 'in accordance with the scheme'. If my Honourable friend were to turn to clause 9—I am sorry that is the reason why he has moved this amendment—and see the terms of the scheme itself, I assure him that he will find there is a clause—which at present is clause 1 (*viii*) (*a*) of the draft scheme—which provides for 15 days notice. I think my Honourable friend on this information will withdraw his amendment.

* * *

†**Mr. President** (The Honourable Sir Abdur Rahim): Amendment moved :

> " That in sub-clause (2) of clause 9 of the Bill after the word ' punishable ' occurring in the fourth line the words ' after thirty days of grace from the due date of payment' be inserted."

**The Honourable Dr. B. R. Ambedkar** : Sir, I rise to oppose the amendment. I do not see any necessity for conceding the point which my Honourable friend is trying to make. As I pointed out to the House, we have already made a provision for notice, which is a period of 15

* Legislative Assembly Debates (Central), Vol. Ill, 13th August 1943, p. 713.

† *Ibid. p.* 713.

days, and I do not understand why my learned friend should contend for an additional privilege which will extend a further period for a recal citrant employer. If we had not provided for notice in our scheme, I could have well understood the justice of a claim for a period of grace. But if my learned friend will allow me to say so I really see no distinction or it is rather a distinction, without difference, between period of notice and period of grace.

**Mr. Hooseinbhoy A. Lalljee** : Sir, I think the request which my Honourable friend, Mr. Abdur Rasheed Choudhury, made was a very fair one……. After all is said and done, in business life one has got to make arrangements and when we are bringing in so many people, I do feel that it will not matter very much if 15 days notice and 15 days grace period is allowed. I like the word 'grace' rather than the word 'notice' in all 30 days for the simple reason that grace 15 days is a thing which is absolutely a thing which the Government can give in their grace. Therefore I think in all fairness he will not be led by friends who believe that we in India are more dishonest than others in the world at large.

**The Honourable Dr. B. R. Ambedkar**: I am prepared to allow them fifteen days grace in the scheme, Sir.

* * *

* **Mr. President** (The Honourable Sir Abdur Rahim): The question is :

> " That to sub-clause (1) of clause 11 of the Bill the following proviso be added :
>
> 'Provided that no payment from the Fund shall be made in discharge of any liability of the Crown to pay compensation to workmen employed by it '."

The motion was adopted.

**The Honourable Dr. B. R. Ambcdkar :** Sir, I move :

> " That for sub-clause (3) of clause 11 of the Bill, the following be substituted :
>
> '(3) If when all payments which have to be made out of the Fund have been defrayed, any balance remains in the Fund, the balance shall be constituted into a Fund to be utilised and administered by the Central Government for the benefit of workmen '."

As I pointed out, the original position when the Bill was introduced was that the balance was to be utilised for general purposes of Government and was to merge in the general revenues of the

* Legislative Assembly Debates (Central), Vol. Ill, 13th August 1943, pp. 714-15.

Government. The Select Committee altered that clause and provided that the balance, if any, should go to the employers who have contributed to this fund, in proportion to their contribution. The amendment which I am moving is an amendment which is, if I may say so, a midway house between the two positions. It suggests that the fund shall not be utilised by the Government for its general purposes, nor shall it be returned to the employer, but it shall be treated as a sort of trust fund to be utilised and administered by the Central Government for the benefit of workmen. I thought that this was a very reasonable compromise and that the whole House would accept it without demur. But I find that there are still some in the House who are not satisfied with the position outlined in this amendment. The grounds on which I justify the amendment standing in my name are, in the first instance, these. I think it will not be denied that whatever contributions the employers may make to the insurance fund, it will be treated by the Finance Department as revenue which will be revenue for which credit will be given by the Finance Department. It is really revenue which would in the ordinary circumstances go to the Government of India in the form of income-tax and excess profits tax. Therefore I have no hesitation in submitting that a very large bulk of this fund is really intended that they would get and utilise what is theirs, I do not think there was anything very serious to challenge that position. But as I stated, I have receded from that position, and I am prepared to allow this fund to be treated, not as general revenues, but as a credit fund to be utilised for the benefit of workmen. The argument which I have heard in the lobby and which seems to have prevailed upon some Honourable Members who are not satisfied with the position-taken here, appears to me to be this. They seem to think that this is the thin end of the wedge, that the Government is really establishing a precedent for making a levy on the industry for the benefit of labour. I do want to disabuse the minds of Members who entertain that sort of fear. I have assured them before this, that Government has no intention of making unfair use of this clause by taxing an industry with the object of raising a fund for purposes for which it is not mainly required ; and I would also like to assure Honourable Members who entertain that kind of fear that it is unnecessary for Government to seek or to make any clandestine attempt to establish a precedent. Government has ample

power and there are precedents which have been laid down already by laws, both here and in England, whereby it is possible for the State to impose a special cess for the benefit of labour. We have got in this country the coal cess and the coke cess, which is a levy on industry and which is utilised for the purposes of the industry or those who are being served by that industry. In England we have a case in the Coal Mines Act whereby a specific levy is made on the industry ; the fund collected by the levy is kept aside for the purposes of labour welfare. Therefore I do want to assure Honourable Members that there is no intention to attempt in a clandestine manner to establish a precedent. Our intention is to support labour and I do not understand why many employers who have always exhibited such kind interest in supporting schemes for the welfare of workmen serving them should in any way hesitate to accept the amendment which I am moving. Sir, I move.

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* **The Honourable Dr. B.R. Ambedkar** : Sir, the point made by my Honourable friend, Mr. Chapman-Mortimer seems to be this. He says that we are changing our purpose. Originally the fund was intended to be used for the purpose of paying compensation. We now propose to use the balance of it for welfare. No doubt this is a change of purpose but I still maintain that there is nothing improper in that. If I understood him correctly, the position of Mr. Mortimer seems to be this. He seems to be following what I must concede is a well established principle in the budgetary arrangement, namely, that when money has been sanctioned by the legislature for a particular purpose it ought not to be spent for another service not included within that purpose. I entirely agree but that is a matter which relates to executive action. I do not propose to use the fund by executive action but it is because I do not wish to be guilty of any impropriety that I have come to the house for asking it to be guilty of any impropriety that I have come to the House for asking its sanction for allowing the balance to be used for some other purpose which the House entirely agrees to be a beneficial purpose. I, therefore, submit that there is no impropriety in changing the purpose inasmuch as we are asking for the legislative sanction of this House for the change of purpose.

* Legislative Assembly Debates (Central), Vol. III, 13th August 1943, p. 718.

Then, the point has been raised that the word 'welfare' is an omnibus word, I agree that it is an omnibus word and I do not know if I am in a position to specify items which will be included in the term "welfare" on which there can be expected to be unanimity in this House. I shall, therefore, not venture to particularise what would come under the term "welfare". But I would say this to those Honourable Members who do not know what is meant by "welfare" as well as to those Honourable Members who think that Government ought not to be entrusted with a responsibility for administering this Fund that they will realise that the matter, with all this, is still left in the hands of the House. The House will have many more opportunities on various occasions to raise this question as to how this money is to be utilised and I am sure many Honourable Members who know what is "welfare" or who have ideas on it will use that opportunity to inform Government as to how that money would be utilised. Sir, I think the house will be well advised in accepting my amendment.

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* **Mr. President** (The Honourable Sir Abdur Rahim): The question is:

> " That to sub-clause (1) of clause 3 of the Bill, the following proviso be added :
>
> * Provided that where an employer has taken out a policy of insurance as required by sub-section (*1*) of section 9 and has made all payments by way of premium thereon which are subsequently due from him in accordance with the provisions of the Scheme, or whereby the provisions of the sub-section (2) of section 12 the employer is not required to insure, the Central Government shall assume and discharge on bahalf of the employer the employer's liability to pay compensation under this sub-section '."

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir I move :

> " That to clause 3 of the Bill the following new sub-clause be added :
>
> ' (3) This section shall be binding on the Crown '."

I have already explained that we are now seeking to make the Crown statutorily liable for the provisions of this Bill. With these remarks, I move.

* * *

†**Mr. President** (The Honourable Sir Abdur Rahim): Amendment moved:

> " That in sub-clause (1) of clause 13 of the Bill, part (b) be omitted."

* Legislative Assembly Debates (Central), Vol. Ill, 13th August 1943, p. 719.

† *Ibid.,* p. 721.

**The Honourable Dr. B. R. Ambedkar :** Sir, I may not have sufficient amount of culture, but I claim average amount of intelligence. Sir, applying such amount of intelligence as I possess to this clause, I think my Honourable friend has entirely misunderstood the purpose of it and the necessity for it. The purpose of the clause is really not to levy distress or to take a warrant, but the purpose of the clause is to obtain information and search for information. Now, Sir, my Honourable friend has not understood why accurate information in this case is absolutely important. I would like to tell him that information is important not only from the point of view of the Government, but information is important from the point of view of employers themselves. Sir, it is perfectly possible for a fraudulent employer, for instance, to submit faulty information, wrong information, information understating his wages bill, information understating the number of employees who are working under him. The premia shall have to be based upon information that has been submitted. It would be perfectly possible for good employers being penalised and they have to pay more for the fault of fraudulent employers who by passing false information might try to escape liability of the law imposed upon them. Therefore, this clause is absolutely necessary, necessary in the interests of the employers themselves. I cannot understand how there can be any objection merely because the law provides that when there has been a case where it is suspected or where Government have information that accurate information has not been supplied that Government should have the power to get accurate information which, as I submit, is the very rock on which this sytem is founded. Sir, I oppose the amendment.

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## * First Session of Plenary Labour Conference

### *Dr. Ambedkar on Social Security*

Following is the full text of the speech delivered by the Hon'ble Dr. B. R. Ambedkar, Member for Labour, at the first session of the Plenary Labour Conference in New Delhi, Monday, September 6 :—

I welcome you to the first session of the Plenary Labour Conference. Thirteen months ago, on August 7 last year, the representatives of the Provincial Governments, Indian States, Employers and Employees were invited by the Government of India to meet in Delhi in a Tripartite Labour Conference.

The motive for calling such a Conference was twofold. For a long time the conviction had gained ground that the industrial problems and problems of Labour Welfare could not be solved unless the three parties—Government, Employers and Employees—developed a sense of responsibility towards one another, showed more respect for the views of one another and agreed to work in a spirit of give and take and that there was not much chance of such a sense of mutual respect and responsibility growing up so long as one was engaged in talking at the other. A plan to bring them together and to let them talk to each other across the table was felt to be necessary for the realization of this purpose.

Although the idea of such Tripartite Organization was there, it is doubtful if it would have taken concrete shape so quickly if the war had not made the maintenance of Labour Morale an urgent and immediate necessity. The war has hastened the implementation of the Tripartite Organization in another way.

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* Indian Information, September 15, 1943, pp. 143-44.

## Bold Policy

Under the stress of the war, the Government of India was called upon in increasing degree to deal with industrial problems and problems of Labour Welfare and I am glad to be able to say that it did not hesitate to take a very bold line of action.

It undertook the task of converting unskilled men by giving them technical training and establishing numerous training schools.

It introduced two new principles in the prevailing Labour Code which are of far-reaching importance and which mark a significant departure from tradition.

It took upon itself as its duty and responsibility the right to prescribe fair wages and fair conditions of service.

It also took upon itself as its duty and responsibility to compel employers and employees to submit their disputes to arbitration. This is not all. The Government of India undertook the responsibility for ensuring the welfare of Labour, not merely by directing what should be done for the well-being of the workers but also by appointing an agency of its own to see if the directions issued by it are carried out or not.

This bold policy was taken on its own initiative and judgment. It was, however, felt that it would be better for the Labour policy of the Government of India if a machinery was created to enable it to obtain advice from Provincial and State Governments, from Employers and Employees to enable it to act confidently in the discharge of the new duties which had fallen upon it.

## Two Bodies Constituted

It was for this double purpose that the Tripartite Labour Conference was called. It was put to the Conference whether the time had not arrived for establishing a permanent and a representative body to discuss industrial problems of Labour Welfare both in their legislative and administrative aspects and also to advise the Government of India as to the most satisfactory line of action in dealing with those problems. The representatives who were then present unanimously accepted the proposal and resolved to constitute two bodies, one bigger to be called the Plenary Labour Conference and the other smaller to be called the Standing Labour Committee.

The Tripartite Labour Conference has its genesis in the exigencies of war. But I am happy to say that it is to last beyond the war. It is going to be an institution which will have a permanent place in the economic structure of the country.

Nobody, I am sure, will have any doubt as to the wisdom of the decision taken in favour of having such a representative forum for the discussion of industrial and labour problems. A survey of the work done during the last 13 months will be sufficient to remove it.

Since August 7, 1942, when these two bodies came into being there have been three meetings of the Standing labour Committee. The Agenda of the first meeting of the Standing Labour Committee comprised subjects such as Wartime Labour Legislation, Problems of production such as settlement of disputes, absenteeism, Hours of work, Industrial Fatigue, Health Research Boards, Earnings of Labour, Dearness Allowances, Profit Bonuses, Savings, Questions of Welfare, Cost-price grain shops, Joint Committee for A.R.P. and Welfare work ; and Rounding-off Wage Payments in view of the shortage of small coins.

The Agenda for the second meeting covered subjects like : Supply of Essential food articles to Labour, Joint Adjudication under Defence of India Rule 81-A, and Deferred Bonuses.

The third meeting was devoted to the consideration of a fair wage clause in Government Contracts, Joint Production Committees, Appointment of Labour Officers in Industrial undertakings, Working of the Defence of India Rule 81-A, Establishment of Employment Exchanges, and Collection of Statistics under the Industrial Statistics Act.

This will give an idea of the very wide range of the subjects which have been discussed by the Standing Labour Committee. It has not been possible to come to unanimous decisions on matters which have been discussed.

**Extremely Useful**

But the discussions have been extremely useful and the Government of India having been greatly benefitted by them. Owing to want of unanimity the Government of India could not take positive action on most of the matters that were discussed. But where there has been

unanimity the Government of India has not been slow to accept those decisions and give effect to them. In support of this I would refer here to certain items such as the War Injuries (Compensation Insurance) Act and the National Service (Technical Personnel Amendment) Ordinance. Other instances would be the Industrial Statistics Act and the Employment Exchanges Scheme. Action in consonance with the decisions of the Conference under both these will be taken very soon.

### Fundamental Change In Outlook

There may be many to whom this progress may appear to be very meagre. To them I would say that theirs is the wrong perspective. There are no short cuts to progress and one cannot be sure that short cuts will be right cuts. Progress by peaceful means is always a slow process and to impatient idealists like myself it is sometimes painfully slow. In an old country like India, with no tradition of collective action and no trace of social conscience progress is bound to be slower. No one need be disheartened by this. For to my mind what matters is not so much the rate of progress as the nature of the outlook.

Looking at the Tripartite Conference from this point of view I have no hesitation in saying that the great achievement of the Tripartite Conference is the fundamental change it has brought about in the outlook of Government and of Employers and of Employees on labour problems. No one who has participated in these Conferences could have failed to sense it. Assured of a healthy and wholesome change in the outlook we can confidently hope for acceleration in the rate of our progress.

## ITEMS ON AGENDA

The Agenda of this Plenary Labour Conference include eight items. They are:—

(i) Involuntary unemployment, due to shortage of coal, raw materials etc.

(ii) Social Security; Minimum wages.

(iii) Principles of fixing dearness allowance.

(iv) Provisions for standing orders on the lines of the provisions in Chapter V of the Bombay Industrial Disputes Act, in large industrial concerns.

(v) Adoption of the Rules of Procedure for the Plenary Conference.

(vi) Setting up of Tripartite Organizations in Provinces.

(vii) Representation of Labour in the Legislatures and other Bodies.

(viii) Model Rules for Provident Funds.

Of these items, there are two the importance of which I am sure will not escape you. I refer to Social Security and the Representation of Labour. They are inseparable. What is significant is that they are inescapable. They are matters of serious consideration all over the world and the Beveridge Report is only one instance of the general interest which the problem has aroused all over the world. We in India cannot shut our eyes to them. It is not for me to tell you how you should deal with them or what would be the correct attitude to take in regard to them. But you will permit me to make two observations which are germane to the issues which they cover. The first is this.

**Two Contradictions**

Those who are living under the capitalistic form of industrial organization and under the form of political organization called Parliamentary Democracy must recognize the contradictions of their systems. The first contradiction is between fabulous wealth and abject poverty not in its simple form but in its aggravated form in which we see it, wealth to those who do not work and poverty for those who do.

The second contradiction lies between the political and the economic systems. In politics, equality ; in economics, inequality. One man one vote, one vote one value is our political maxim. Our maxim in econimics is a negation of our political maxim. There might be differences of opinion in the matter of resolving these contrasts. But there can be no difference of opinion on the point that these contradictions do exist.

It is true these contradictions, though glaring, passed unnoticed by the mass of the people. But today the situation has changed and the contrasts which even the *keenest* was not aware of are now brought home even to the *dullest*.

The second observation I wish to make is this. Ever since the basis of social life was changed from status to contract insecurity of life has

become a social problem and its solution has occupied the thoughts of all those who believe in the betterment of human life. There has been an enormous energy spent in enunciating the rights of man and the different sorts of freedom which must be regarded as his inalienable birthright. All this, of course, is very good, very cheering. What I wish to say is that there will be very little security unless and until, to use the words of the Report of the Economic Group of the Pacific Relations Conference, these rights are translated into terms which the common man can understand, namely, peace, a house, adequate clothing, education, good health, and, above all, the right to walk with dignity on the world's great boulevards without the fear of a fall.

**For Dignified Existence**

We, in India, cannot fail to recognize these problems or bypass them. We must be prepared for the revaluation of values. It will not be enough to make industrial development of India as our goal. We shall have to agree that any such industrial development shall be maintained at a socially desirable level. It will not be enough to bend our energies for the production of more wealth in India. We shall have to agree not merely to recognise the basic right of all Indians to share in that wealth as a means for a decent and dignified existence but to devise ways and means to insure him against insecurity.

Before I conclude there is one matter to which I would like to make reference. Discussions at our meetings have sometimes tended to be rather discursive and unbusinesslike.

I have no intention to be over-critical in this matter, but I would ask delegates to be as brief as possible and to keep to the point at issue. I do not wish to restrict the opportunities of any delegate to participate in the discussion and to make his contribution but I would ask you to remember that what we want to get at is the view of the delegate. He is welcome to explain his views. But the statement of his views need not always be accompanied by an elaborate chain of reasoning, at any rate where the reasoning is of the obvious kind. I am sure every one of you is as anxious as I am to make our proceedings thoroughly businesslike and thereby avoid laying ourselves open to the charge which Carlyle levelled against the House of Commons.

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## * Labour and Parliamentary Democracy

[*Speech delivered at the concluding session of the All India Trade Union Workers' Study Camp held in Delhi from 8th to 17th September 1943 under the auspices of the Indian Federation of Labour.*]

I appreciate very much the kind invitation of your Secretary to come and address you this evening. I was hesitating to accept this invitation and for two reasons. In the first place I can say very little which can bind the Government. Secondly I can say very little about Trade Unionism in which you are primarily interested. I accepted the invitation because your Secretary would not take a ' No ' from me. I also felt that this was probably the best opportunity I can have to speak out my thoughts on Labour organization in India which have been uppermost in my mind and which I thought may even interest those who are primarily interested in Trade Unionism.

The Government of human society has undergone some very significant changes. There was a time when the government of human society had taken the form of autocracy by Despotic Sovereigns. This was replaced after a long and bloody struggle by a system of government known as Parliamentary Democracy. It was felt that this was the last word in the frame work of government. It was believed to bring about the millennium in which every human being will have the right to liberty, property and pursuit of happiness. And there were good grounds for such high hopes. In Parliamentary Democracy there is the Legislature to express the voice of the people; there is the Executive which is subordinate to the Legislature and bound to obey the Legislature. Over and above the Legislature and the Executive there is the Judiciary to control both and keep them both within

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prescribed bounds. Parliamentary Democracy has all the marks of a popular Government, a government of the people, by the people and for the people. It is therefore a matter of some surprise that there has been a revolt against Parliamentary Democracy although not even a century has elapsed since its universal acceptance and inauguration. There is revolt against it in Italy, In Germany, in Russia, and in Spain, and there are very few countries in which there has not been discontent against Parliamentary Democracy. Why should there be this discontent and dissatisfaction against Parliamentary Democracy ? It is a question worth considering. There is no country in which the urgency of considering this question is greater than it is in India. India is negotiating to have Parliamentary Democracy. There is a great need of some one with sufficient courage to tell Indians "Beware of Parliamentary Democracy, it is not the best product, as it appeared to be."

Why has Parliamentary Democracy failed ? In the country of the dictators it has failed because it is a machine whose movements are very slow. It delays swift action. In a Parliamentary Democracy the Executive may be held up by the Legislature which may refuse to pass the laws which the Executive wants, and if it is not held up by the Legislature it may be held up by the Judiciary which may declare the laws as illegal. Parliamentary Democracy gives no free hand to Dictatorship, and that is why it is a discredited institution in countries like Italy, Spain and Germany which are ruled by Dictators. If Dictators alone were against Parliamentary Democracy it would not have mattered at all. Their testimony against Parliamentary Democracy would be no testimony at all. Indeed Parliamentary Democracy would be welcomed for the reason that it can be an effective check upon Dictatorship. But unfortunately there is a great deal of discontent against Parliamentary Democracy even in countries where people are opposed to Dictatorship. That is the most regrettable fact about Parliamentary Democracy. This is all more regrettable because Parliamentary Democracy has not been at a standstill. It has progressed in three directions. It has progressed by expanding the notion of Equality of Political rights. There are very few countries having Parliamentary Democracy which have not adult suffrage. It has recognized the principle of Equality of Social and Economic opportunity.

And thirdly it has recognised that the state cannot be held at bay by corporations which are anti-social in their purpose. With all this, there is immense discontent against Parliamentary Democracy even in countries pledged to Democracy. The reasons for discontent in such countries must obviously be different from those assigned by the dictator countries. There is no time to go into details. But it can be said in general terms that the discontent against Parliamentary Democracy is due to the realization that it has failed to assure to the masses the right to liberty, property or the pursuit of happiness. If this is true, it is important to know the causes which have brought about this failure. The causes for this failure may be found either in wrong ideology or wrong organization, or in both. I think the causes are to be found in both. As an illustration of wrong ideology which has vitiated Parliamentary Democracy I can only deal with only two. I have no doubt that what has ruined Parliamentary Democracy is the idea of freedom of contract. The idea became sanctified and was upheld in the name of liberty. Parliamentary Democracy took no notice of economic inequalities and did not care to examine the result of freedom of contract on the parties to the contract, should they happen to be unequal. It did not mind if the freedom of contract gave the strong the opportunity to defraud the weak. The result is that Parliamentary Democracy in standing out as protagonist of Liberty has continuously added to the economic wrongs of the poor, the downtrodden and the dis-inherited class. The second wrong ideology which has vitiated Parliamentary Democracy is the failure to realize that political democracy cannot succeed where there is no social and economic democracy. Some may question this proposition. To those who are disposed to question it, I will ask a counter question. Why Parliamentary Democracy collapsed so easily in Italy, Germany and Russia ? Why did it not collapse so easily in England and the U. S. A. ? To my mind there is only one answer—namely, there was a greater degree of economic and social democracy in the latter countries than it existed in the former. Social and economic democracy are the tissues and the fiber of a Political Democracy. The tougher the tissue and the fiber, the greater the strength of the body. Democracy is another name for equality. Parliamentary Democracy developed a passion for liberty. It never made even a nodding acquaintance with

equality. It failed to realize the significance of equality, and did not even endeavour to strike a balance between Liberty and Equality, with the result that liberty swallowed equality and has left a progeny of inequities.

I have referred to the wrong ideologies which in my judgment have been responsible for the failure of Parliamentary Democracy. But I am equally certain that more than bad ideology it has bad organization which has been responsible for the failure of Democracy. All political societies get divided into two classes—the Rulers and the Ruled. This is an evil. If the evil stopped here it would not matter much. But the unfortunate part of it is that the division becomes stereotyped and stratified so much so that the Rulers are always drawn from the Ruling Class and the class of the Ruled never becomes the Ruling class. People do not govern themselves, they establish a government and leave it to govern them, forgetting that is not their government. That being the situation. Parliamentary Democarcy has never been a government of the people or by the people, and that is why it has never been a government for the people. Parliamentary Democracy, notwithstanding the paraphernalia of a popular government, is in reality a government of a hereditary subject class by a hereditary ruling class. It is this vicious organization of political life which has made Parliamentary Democracy such a dismal failure. It is because of this that Parliamentary Democracy has not fulfilled the hope it held out the common man of ensuring to him liberty, property and pursuit of happiness.

The question is who is responsible for this ? There is no doubt that if Parliamentary Democracy has failed to benefit the poor, the labouring and the down trodden classes, it is these classes who are primarily responsible for it. In the first place, they have shown a most appalling indifference to the effect of the economic factor in the making of men's life. Someone very recently wrote a book called the 'End of the Economic Man'. We cannot really talk of the End of the Economic Man for the simple reason that the Economic Man was never born. The common retort to Marx that man does not live by bread alone is unfortunately a fact. I agree with Carlyle that the aim of civilization can not be merely to fatten men as we do pigs. But we are far off from that stage. The labouring class far from being fat like pigs are starving, and one wishes that they thought of bread first and everything else afterwards.

Marx propounded the doctrine of the Economic interpretation of History. A great controversy has raged over its validity. To my mind Marx propounded it not so much as doctrine as a direction to Labour that if Labour cares to make its economic interests paramount, as the owning classes do, history will be a reflection of the economic facts of life more than it has been. If the doctrine of Economic interpretation of History is not wholly true it is because the labouring class as a whole has failed to give economic facts the imperative force they have in determining the terms of associated life. The Labouring classes have failed to acquaint itself with literature dealing with the government of mankind. Everyone from the Labouring Classes should be acquainted with Rousseau's Social contract, Marx's Communist Manifesto, Pope Leo XIII's Encyclical on the conditions of Labour and John Stuart Mill on Liberty, to mention only four of the basic programmatic documents on social and governmental organization of modern times. But the labouring classes will not give them the attention they deserve. Instead labour has taken delight reading false and fabulous stories of ancient kings and queens and has become addicted to it.

There is another and a bigger crime which they have committed against themselves. They have developed no ambition to capture government, and are not even convinced of the necessity of controlling government as a necessary means of safeguarding their interests. Indeed, they are not even interested in government. Of all the tragedies which have beset mankind, this is the biggest and the most lamentable one. Whatever organization there is, it has taken the form of Trade Unionism. I am not against Trade Unions. They serve a very useful purpose. But it would be a great mistake to suppose that Trade Unions are a panacea for all the ills of labour. Trade Unions, even if they are powerful, are not strong enough to compel capitalists to run capitalism better. Trade Unions would be much more effective if they had behind them a Labour Government to rely on. Control of Government must be the target for Labour to aim at. Unless Trade Unionism aims at controlling government, trade unions will do very little good to the workers and will be a source of perpetual squables among Trade Union Leaders.

The third besetting sin of the labouring classes is the easy way which they are lead away by an appeal to Nationalism. The working classes

who are beggared in every way and who have very little to spare, often sacrifice their all to the so-called cause of Nationalism. They have never cared to enquire whether the nationalism for which they are to make their offerings will, when established, give them social and economic equality. More often than not, the free independent national state which emerges from a successful nationalism and which reared on their sacrifices, turns to be the enemy of the working class under the hegemony of their masters. This is the worst kind of exploitation that Labour has allowed itself to be subjected to.

If the working classes have to live under a system of Parliamentary Democracy then it must devise the best possible means to turn it to their benefit. As far as I can see, two things are necessary if this object is to be achieved. First thing to do is to discard mere establishment of Trade Unions as the final aim and object of Labour in India. It must declare that its aim is to put labour in charge of Government. For this it must organize a Labour Party as a political party. Such a party will no doubt cover Trade Unions in its organization. But it must be free from the narrow and cramping vision of Trade Unionism, with its stress on the immediate gain at the cost of ultimate benefit and with the vested right of Trade Union officials to represent Labour. It must equally dissociate itself from communal or capitalistic political parties such as the Hindu Mahasabha or the Congress. There is no necessity for Labour to submerge itself in the Congress or the Hindu Mahasabha or be the camp followers of either, simply because these bodies claim to be fighting for the freedom of India. Labour by a separate political organization of its ranks can serve both the purposes. It can fight the battle of India's freedom better by freeing itself from the clutches of the Congress and the Hindu Mahasabha. It can prevent itself from being defrauded in the name of nationalism. What is most important is that it will act as a powerful check on the irrationalism of Indian politics, Congress politics is claimed to be revolutionary. That is why it has secured a large number of followers. But it is also a fact that Congress politics has brought nothing but frustration. The reason is Congress politics is so irrational and it is irrational largely because Congress has no rival. A Labour Party in India would be most welcome corrective to this irrationalism which has dominated Indian politics for the last two decades. The second thing for Labour

in India to realize is that without knowledge there is no power. When a Labour Party is formed in India and when such a party puts forth its claim to be installed on the Gadi before the electorate, the question, whether Labour is fit to govern, is sure to be asked. It would be no answser to say that Labour could not govern worse or display greater bankruptcy in home or foreign affairs than the other classes. Labour will have to prove positively that it can govern better. Let it not also be forgotten that the pattern of Labour Government is a very difficult one than that of the other classes. Labour government cannot be a government of *laissez faire*. It will be a government which must essentially be based on a system of control. A system of control needs a far greater degree of Knowledge and training than a *laissez faire* government does. Unfortunately, Labour in India has not realized the importance of study. All that Labour leaders in India have done, is to learn how best to abuse Industrialists. Abuse and more abuse has become the be-all and end-all of his role as a labour leader.

I am therefore very glad to find that the Indian Federation of Labour has recognized this defect and has come forward to open these study circles for the Labouring Classes. They are going to be the most effective means of making Labour fit to govern. I hope the Federation will not forget the other necessity namely to inaugurate a Labour Party. When this is done, the Federation will deserve the thanks of the Labouring Classes to have raised them to the status of a governing class.

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# 21

## * The Indian Trade Unions (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move:

> " That the Bill further to amend the Indian Trade Unions Act, 1926, be circulated for the purpose of eliciting opinion thereon. "

The motion is merely for circulation for the purpose of eliciting public opinion on this measure. That being so, it seems to me unnecessary to take the time of the House to deal in any detailed manner with the provisions which are embodied in this Bill. It is enough, I think, to tell the House what are the main features of the Bill and what has led Government to undertake this particular piece of legislation.

The Bill has three important features. In the first place, the Bill seeks to compel an employer to recognise a trade union. In the second place, the Bill imposes certain conditions on a trade union in order to make the trade union, if I may say so, worthy of recognition by an employer. The third feature of the Bill is to make non-recognition by an employer of a trade union, which has observed all the conditions prescribed in this measure and which has therefore qualified itself for recognition, an offence which is made punishable by law.

As I said, it is unnecessary to discuss the merits of this measure. The motion is for circulation which obviously means that the provisions embodied in the Bill by the Government at the present stage are only tentative. There is no finality about it, and Government do not propose to make these provisions final unless they have received the opinions of leaders of labour, employers, Provincial Governments and other parties who are concerned in this measure. The Bill may therefore be quite different from what it is now, when Government has applied its

* Legislative Assembly Debates (Central), Vol. IV (1943), 13th November 1943, pp. 252-54.

mind to the various suggestions that it hopes to receive as a result of circulation.

**Mr. N. M. Joshi** (Nominated Non-official): I hope it will be better.

**The Honourable Dr. B. R. Ambedkar :** I hope so from everybody's point of view. All that therefore I propose to say is to tell the House what has led the Government of India to take this responsibility upon its shoulders.

The House will recall that this matter was considered and great deal of attention was devoted to the question of the recognition of trade unions by employer, and all those Honourable Members who have read the Report of the Royal Commission on Labour will realise what great emphasis the Royal Commission laid on the recognition of trade unions as a measure for the healthy growth of trade unions and for amicable relations between employers and workers. The House will also remember that the Royal Commission at that stage stated that they would very much desire if the recognition was achieved voluntarily by the consent of the employers without any legal obligation upon them. The House will also remember that the Royal Commission reported in 1929,—practically 12 years have elapsed—and there has been no willingness on the part of employers to recognise trade unions voluntarily. Indeed the objections which the employers made before the Royal Commission for opposing the recognition of trade unions are still the objections which the employers are pressing for non-recognition. Consequently the situation has certainly not improved.

As Honourable Members will remember, this question was taken up after 1937 when provincial autonomy came into being, by most of the Provincial Governments which came and took office under the new Act. There were both private measures and measures introduced by the Ministries in order to bring about recognition of trade unions by employers. For instance, in Madras there was a private Bill brought in, there was also a Government measure brought in by the Ministry of the day. In Bombay, Government brought in a measure called the Bombay Trade Disputes Act. In C.P. an Act was contemplated and a draft was prepared and the same was done in the province of the U.P. Unfortunately, except in the case of Bombay, the Ministries in other provinces resigned before their projects could assume a statutory character. However, the Government of India, after provincial

autonomy had come into existence, had inaugurated a system of collaboration between the centre and the provinces and one of the means adopted for collaboration was to inaugurate what were called Labour Ministers' Conferences. The First Labour Ministers' Conference was held in 1940 when this subject was discussed between the Provincial Governments and the Central Government. It was then decided that there was not enough material before the Conference to come to any definite conclusion on the matter and the Conference gave instructions to the Central Government that the matter should be referred to the Provincial Governments in order to elicit opinion from the Provnicial Governments as well as leaders of labour and employers and that the material should be placed at the second session of the Labour Ministers' Conference which was proposed to be held in the year 1941. Accordingly the Government of India addressed a letter to the Provincial Governments asking them to collect the opinions of the different parties relating to this measure, and a very large body of opinion was collected by the different Provincial Governments and forwarded to the Central Government with the opinions of the different provinces on them. The whole of this was placed before the Labour Ministers' Conference held in 1941 and the conclusion reached then was that the Central Government should undertake legislation, that that legislation should not be purely provincial and that draft should be prepared on the basis of the replies that were received from the Provincial Governments and from the various parties which were concerned with this matter. As a result of this the Government of India undertook the task and the present Bill is really the result of the sifting of the information which the Central Government received and the opinions which were expressed by the various parties concerned. This is the origin of the measure. This will explain why, although labour legislation is a provincial subject, the Central Government has come in with this measure.

I do not think that it is necessary for me to say anything further on this measure. As I have said, the proposals are tentative, there is no finality, and there cannot be any finality unless and until we receive opinions on the draft Bill as it stands. All that I say is that it is one of the most important measures which this Legislature has been invited to undertake. It is also a unique measure. Except in the case of the

United States and Sweden, recognition of trade unions in other countries has been left to voluntary effort. I hope this will not be a controversial measure. In any case I do not wish to say more than what I have said in view of the fact that I prefer to submit the Bill to public scrutiny before I undertake to make myself responsible for any of the provisions contained in the Bill. Sir, I move :

**Mr. President** (The Honourable Sir AbdurRahim): Motion moved :

> " That the Bill further to amend the Indian Trade Unions Act, 1926, be circulated for the purpose of eliciting opinion thereon. "

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* **Mr. P.J. Griffiths** (Assam : European): Mr. President, the motion at present before the House is that this Bill be circulated for eliciting opinion thereon.....Let me remind my Honourable Friend too that trade unions have many enemies.

**The Honourable Dr. B. R. Ambedkar :** Employers are one of them.

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@ **The Honourable Dr. B. R. Ambedkar :** Sir, the Bill, which I have the honour to move for circulation has given rise to controversy. This is, of course, not unexpected. As I said in my opening observations, the Bill is undoubtedly a controversial measure but I also stated in the course of my opening observations that I do not propose to enter into the controversy today and to reply to the various points that have been made. I do not do so in any spirit or discourtesy to Honourable Members who have taken part in this debate and presented their point of view. I assure them that I will bear their points in mind and consider their validity on the occasion when such occasion will arise.

If I rise at this stage, as I said, it is not to reply to the various points that have been made but I do feel that I am bound to meet certain points of criticism which were made by my Honourable friend, Mr. Griffiths. There is one point which he made which, if he will permit me to say so, I think was very unfair. He said that I have brought in a measure which was vague in some way and which contained, if I may use the phrase, empty clauses. His criticism was that I was not justified and that it was unfair on my part to ask the House to consider a Bill which contained such vague and empty clauses. I do not accept that criticism and I do say that it was entirely misconceived and unfounded. I do not

* Legislative Assembly Debates (Central), Vol. IV (1943), 13th November 1943, p. 256. @ *Ibid., p. 276.*

admit in the first instance that there are any clauses in this Bill which are vague or that there are any clauses in this Bill which are empty, so empty as not to enable anybody to understand what the Bill aims at. But assuming for a moment that there are certain clauses which are vague and other clauses which require content to be put in I do not think that the criticism was valid. If I asked the House to proceed to enact the measure in the form in which it was presented, I could have understood the point of the criticism but that is not what I am doing. I am asking merely the permission of the House that this Bill, such as it is, may be circulated for the purpose of eliciting further opinion, so that Government may have guidance from such parties as can give guidance and Government in the end may be able to fill in the gaps and make definite what is vague. I therefore submit that there was no point in that criticism which Mr. Griffiths made.

Mr. Griffiths then said that the Bill in his opinion was unsound in principle. Well, that is a matter of opinion. We have heard people on the other side saying that there is a perfectly sound principle in the Bill and that it ought to be embodied in an Act. Therefore I shall not dwell on that point of his criticism.

The second point that he made was that I have somehow not stated what a representative trade union was. Without meaning any offence, if I may say so, he has either not read the clauses of the Bill, or if he has read them he has not understood them. It is perfectly clear from the provisions that are set out in this Bill that there are two principal conditions laid down. One is this—that a trade union before it can be recognised must fulfil certain conditions. The second condition which has been laid down is this—that mere fulfilment of the conditions laid down is not a qualification enough for recognition but that the trade union, in addition to fulfilling these qualifications, will have to undergo the test of a certification by a Board. In fact, if I may say so, the principle of the Bill—the fundamental part of it—is that the representative character of the Union will depend primarily subject to other conditions on the certificate that a tripartite board, representing Labour, Government and the Employers, will be able to give. My friend then made great play of sub-clause (*g*) of clause 28D which says : any further conditions that may be prescribed. I cannot understand how Mr. Griffiths could have so completely misunderstood the purport of that clause. The position of the Government is.....

**Mr. P.J. Griffiths :** On a point of personal explanation. I did not refer to sub-clause (*g*) at all.

**The Honourable Dr. B. R. Ambedkar :** I am very sorry if I misunderstood the Honourable Member. That is what I took down. What I would like to say is this. The position of the Government is perfectly plain and may be stated briefly. On the basis of the views that were communicated to us in 1941 and on the basis of the views that were communicated to us from the various organisations representing labour and capital, Government came to the conclusion that the positive conditions which they have laid down ought to be sufficient. But Government does not wish to dogmatise about it and Government does feel that there might be certain conditions which either the Provincial Government or the employers of labour or capital may find to be necessary to be introduced in this Bill before recognition is granted. It is to make provision for a contingency of that kind we have introduced these clauses wherever it is stated that further conditions may be prescribed. It is a loophole, it is an opportunity which we have left and designed to take to ourselves the benefit of any advice that we might receive. There is certainly no vagueness and no uncertainty with regard to the provisions of the Bill as to what a representative character means.

**Mr. P. J. Griffiths :** On a point of information. Would you explain to the House the meaning of the new clause 28D, sub-clause (*e*) " that it is a representative Trade Union " ?

**The Honourable Dr. B. R. Ambedkar :** It means a Union which has been certified by the Board as a representative Trade union.

**Mr. P. J. Griffiths :** Of their own free will ?

**The Honourable Dr. B. R. Ambedkar :** The Board will make an investigation and that was the point of comment of my friend, Mr. Joshi, who said that the Board is authorised to ask for all sorts of information including the views of the private members.

**Mr. P. J. Griffiths :** Is it the intention that the Board shall have some guidance as to what is meant by " representative " ?

**The Honourable Dr. B. R. Ambedkar :** We propose to. On that point we would like to have a suggestion from various parties as to what sort of instructions they would like us to give to the Board.

**Mr. P. J. Griffiths:** So, you have a blank mind on the subject.

**The Honourable Dr. B. R. Ambedkar :** It is not a blank mind; it is an open mind. That is the way I would like to define my position correctly.

Mr. Griffiths as well as other Members who spoke on the Bill said that the Government was not justified or rather, to use their own words, Government was illogical in applying clause 27J by exempting Government undertakings from the operation of this Bill.

Now, Sir, the first point that I would like to make in reply to the contention is that *Logic is certainly not always life.* There are many occasions when illogicality would reduce ourselves to extremism and I do not think any man would prefer extremism to illogicality. Personally myself, I think, if anything could be said with regard to clause 28J, it could be said that Government is not timid, Government is not illogical; Government is wise and Government is cautious. I think that this clause has been somewhat misunderstood. There is no intention to exempt Government from the provisions of this Bill. All that is said is this that a date will be fixed when the provisions of this Bill will be applied to Government undertakings. Therefore, if there is any discrimination made in favour of the Government, it is not with regard to the application of the Bill but with regard to the date on which it will become applicable to Government.

**Mr. P. J. Griffiths :** Why is that made ?

**The Honourable Dr. B. R. Ambedkar :** There may be necessity for it.

**Mr. P. J. Griffiths :** What is it ?

**The Honourable Dr. B. R. Ambedkar** : As I said, I do not want to enter into controversy at this stage and as the Secretary of the Posts and Telegraphs Department said, Government feels that, at any rate for the present, the Government Departments who are employers of labour have made sufficient provision for the recognition of their trade unions. And in view of the fact that Government has certainly been far more ready to recognise Trade Unions than private employers, I do not think that the interests of labour will suffer if the date for the application of this Bill is postponed. Sir, I have nothing more to say.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

> " That the Bill further to amend the Indian Trade Unions Act, 1926, be circulated for the purpose of eliciting opinion thereon. ".

The Motion was adopted.

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# 22

# * Post-war Development of Electric Power in India

### *Dr. Ambedkar's Address*

Problems relating to the post-war development of electric power in India were discussed by the *Reconstruction Policy Committee* which met in New Delhi on October 25, the Hon'ble Dr. B.R. Ambedkar, Member for Labour, Government of India, presiding. A number of delegates from the Provincial Governments, leading power States and engineering interests attended the meeting on the invitation of the Central Government.

The Honourable Dr. B. R. Ambedkar, addressing the Committee, said:

Gentlemen, I welcome you to this meeting of the Policy Committee of the Reconstruction Committee No. 3C. A Chairman has both the obligation and the privilege of making an opening speech. The obligation I accept. But I do not wish to abuse the privilege by inflicting upon you a long speech. All I propose to do is to put certain relevant facts into focus so that our attention may be riveted upon them.

For the information of those of you who do not know the machinery set up by the Government of India to study the various problems of reconstruction but whose participation is necessary I would like, if I may briefly, to refer to the plan of work which has been adopted for the better and most expeditious way of carrying out the work taken up by the Reconstruction Committee of Council.

## Five Committees

It is, I am sure, within your knowledge that the ex-Viceroy, Lord Linlithgow in March last decided to have a Reconstruction Committee

* Indian Information, November 15, 1943, pp. 279-81.

of Council under the chairmanship of my gallant friend and colleague the Hon'ble Sir J. P. Srivastava. The Reconstruction Committee of Council has set up five different Reconstruction Committees. Committee No. I deals with Re-Settlement and Re-Employment, Committee No. II with Disposals, Contracts and Government Purchases. The work of Committee No. III is partitioned among three Committees— Committee No. 3A deals with Transport, No. 3B with Posts, Telegraphs and Air Communications, and No. 3C with Public Works and Electric Power. Committee No. IV is concerned with Trade and Industry, and Committee No. V with Agriculture.

Each of these Committees has a Policy Committee which works under the presidentship of a Member of Council which is composed of the representatives of the Central Government, Provincial Governments, State Governments, and such representatives of trade, industry and commerce as are considered necessary. Each has also an official committee which works under the chairmanship of the Secretary to the Department and is composed of the Secretaries of other Departments concerned.

In addition to these two sets of Committees, some of the Reconstruction Committees have a third committee called Subject Committee to deal with technical subjects arising within its field. In addition to these there is an official committee on Social Services and a Consultative Committee of Economists. Such is the plan of work devised by the Central Government to deal with the problems of Reconstruction. Ours is a meeting of the Policy Committee of the Reconstruction Committee No. 3C. The task of this Committee is to study the problems connected with electric power and to make a recommendation as to the best way of solving them.

Before I enter upon an analysis of the problems, there is one question relating to generation of electric power to which I wish to make a reference at an early stage as I wish to get it out of the way. It relates to the question of procurement of machinery, tools and plants that would be necessary for the generation of electrical power. That machinery will have to be obtained from outside, mostly from Great Britain. The prospect of obtaining such machinery is not free from difficulty. Great Britain would require a great deal of her productive capacity to be reserved for her own needs.

There are other European and Asiatic countries which would be in the British and American markets to acquire the necessary stock of tools and plants. In this competition India may find it difficult to obtain the quota she will need. To safeguard India's position it would be desirable if India could register her orders for tools and plants as early as possible and secure as great a priority as can be done. The difficulties regarding priority may not be very great. I feel quite certain that we can depend upon His Majesty's Government to secure for India high priority in view of the aid she has rendered in this War. But there are other difficulties mainly arising from making up the indents and placing them with the manufacturers as firm orders.

In the first place, electricity is a purely provincial subject. The estimates as to tools and machinery must, therefore, come from the Provinces. The Centre can only sum them up.

In the second place, the type of machinery will depend upon the decision as to the prime mover that is to be used for the generation of electricity, whether water, steam, oil, etc.

The third difficulty arises out of the uncertainty of the attitude of the governments which will come into existence after the war. Will the future Government accept the plans and programmes set out by the present Government ? Will the future Governments maintain the level of taxation which the plans and the programmes made by the present Government will require ? On these questions one cannot be sure. All the same it seems that this Government would be failing in its duty if it did not make secure the prospect of India getting the tools and plants necessary for electrification at the end of the war.

**Functions Of Policy Committee**

I mention this matter as being urgent and important. But I am sure you will understand that this is not the matter with which this Committee is primarily concerned. This is a Policy Committee and our primary concern is to deal with the problems arising out of the administration, production and distribution of electricity and to recommend what we regard as the principles which should guide the future Government of India. We have taken advantage today of our meeting of our Policy Committee to ask Provincial Governments and State Governments to send representatives to this meeting to give us the benefit of their views.

The treatment of electricity as a matter of public concern has passed through many vicissitudes. The Government of India seems to have become aware of it for the first time in 1905 when, I find, a circular letter was issued by it to the Provincial Governments. Thereafter both the Provincial Governments and the Central Government seem to have gone to bed. They woke up when the urgency of active interest in electricity was emphasized by the Report of the Indian Industrial Commission published in 1918 and the Report of the Indian Munitions Board which came out a year later.

The Industrial Commission recommended the necessity for a Hydrographic Survey of India to be undertaken by Government rather than by private enterprise. The Government of India accepted this recommendation and appointed the late Mr. G.T. Barlow, C.I.E., then Chief Engineer, Irrigation Branch, the United Provinces, to take charge of the Hydrographic Survey as Chief Engineer, associating with him in the enquiry Mr. J. M. Mcarcs, M.I.C.E., Electrical Adviser to the Government of India. Soon after Mr. Barlow died, and his work was carried on by Mr. Mcares who produced three most excellent reports between 1919 and 1922 containing information Province by Province regarding the possibilities of Power Supply under five heads—(1) water power already developed, (2) plants under construction, (3) areas investigated but not developed, (4) known sites of which detailed examination is desirable, and (5) areas and sites not investigated.

**Electricity—A Provincial Subject**

Unfortunately under the changes made in the Government of India in consequence of the Act of 1919, Electricity became a Provincial subject. That Act unfortunately did not contain a provision as the present Act does of permitting the Central Government to spend its revenues on matters which it felt fit and proper although they were outside its field of administration. The result was that it became impossible for the Government of India to finance the Hydrographic Survey. A good, great and necessary piece of work for providing India with supply of electrical power came to an end.

There is no officer at the Centre in charge of the development of electricity in India with the result that we at the Centre had till recently

no data as to the production, distribution and administration of electricity in India.

I am, therefore, glad that the subject of electricity in India has come up again for serious consideration. So far as I am able to visualize, the questions which this Committee must concern itself with are :—

(1) Whether electricity should be privately owned or whether it should be State-owned ?

(2) If it is to be privately owned, are there any conditions which it is necessary to impose so as to safeguard the interests of the public ?

(3) Whether the development responsibility for electricity should belong to the Central Government or to the Provincial Government ?

(4) If the responsibility is to be of the Central Government, what is the most efficacious method of administering it so as to provide cheap and abundant supply of electricity and avoid waste of resources ?

(5) If the responsibility is to be of the Provinces, whether the administration by the Provinces should be subordinate to an Intcr- Provincial Board with powers to advise and co-ordinate ?

## Three Considerations

Every one of these questions has two sides. Each side has its protagonists. I do not wish to express my opinion at this stage. I have *an open* mind. But it is not *an empty* mind. All I wish to say is that in coming to our conclusions as to which is the better way of developing electricity we shall have to bear in mind three considerations :—

(1) Which of the two will give us power not at a cheaper but at the cheapest price,

(2) Which of the two will give us power which will not merely be sufficient but which will be abundant,

(3) Which of the two will enable India to be equipped with electricity by treating it on the same basis as a strategic Railway, that is to say, as an undertaking which must be started without consideration of immediate profit.

**I emphasize these considerations because what India wants is an assured supply of power, cheap power and abundant power.**

These are primary questions. There may be some hesitation lurking in the minds of some of you to deal with them on the ground that most of them raise the question of changes in the Constitution. Speaking for myself I feel no such hesitation. There is a difference between deciding a constitutional issue and expressing an opinion on it. We shall not be deciding upon constitutional questions. We shall be only expressing our opinion as regards them. We are not debarred from considering them for the reason that they are of a constitutional nature. I feel quite certain that we cannot avoid them if we want to do justice to the subject which is placed in our charge.

**Power Supply Department**

Besides these primary questions there are others which are by no means secondary. If electrification is to be a success wc cannot leave them out of our consideration. They are :—

(1) Whether it is necessary to establish a Power Supply Department at the Centre whose duty would be to make a systematic survey of the available sources of power, namely, coal, petrol, alchohol and running water, etc., and to suggest ways and means of increasing generating capacity.

(2) Whether it is necessary to establish a Power Research Bureau at the Centre to study problems connected with the relation between the sources of power and the machinery in order to promote the most efficient use of available power.

(3) Whether it is necessary to adopt some means to train Indians in electrical technology so that India will have a staff to plan and to carry out schemes of construction, maintenance and improvement in electrical plant and machinery.

Before I conclude may I make a few observations pointing out the significance of and the ultimate objective that lies behind the need for electrical development in India ? It is necessary that those who are placed in charge of the subject should have the fullest realization of its significance and its objective. If you agree with me in this I will request you to ask yourselves the question, 'Why do we want cheap and abundant electricity in India ?' The answer is that without cheap an abundant electricity no effort for the industrialization of India can

succeed. This answer brings out only a part of the significance of the work this Committee has to undertake.

Ask another question, ‘ Why is industrialization necessary ? ’ and you will have the full significance made clear to you at once ; for the answer to the question is, we want industrialization in India as the surest means to rescue the people *from the eternal cycle of poverty in which they are caught.* Industrialization of India must, therefore, be grappled with immediately.

**Industrialization Of India**

Industrialization of India has been in the air for many years. But one fails to notice any serious drive to bring about industrialization. There are still some who pay only lip service to it. Others look upon it as a fad, if not a craze. There are very many who are never tired of preaching that India is an agricultural country and therefore the best thing to do is to devote all energy to improve agriculture and not to run after industrialization. Nobody needs to be told that India is primarily an agricultural country. Everybody knows it. What is surprising is that very few people seem to realize what a great misfortune it is. I know this will not be readily admitted. What *more* evidence is wanted to prove that this is a misfortune *than* the famine which is stalking Bengal and other parts of India and where so many from the agricultural population are dying daily from want of food or from want of purchasing power ?

**To my mind there can be no greater proof necessary to show that India’s agriculture has failed and failed miserably when it is as plain as anything could be that India which is engaged in producing nothing but food does not even produce sufficient food to feed its people. What is this due to ? The poverty of India, to my mind, is due entirely to its being made dependent upon agriculture.**

Population in India grows decade by decade in geometrical progression. As against this unlimited growth of population what is available for cultivation is not merely a limited amount of land but a liimited amount of land whose fertility is diminishing year by year. India is caught between two sides of a pinccr, the one side of which is a progressive increase in population and the other is a progressive increase in the deterioration of the soil.

## "A Rot Has Set In"

The result is that at the end of a decade we are left with a negative balance between population and production and a constant sqeezing of the standard of living. At every decade this negative balance between population and production is increasing in an alarming degree, leaving India with the inheritance of poverty, more poverty and chronic poverty. A rot has set in. This rot, I feel sure, is not going to be stopped by organizing agricultural exhibitions or animal shows or by propaganda in favour of better manuring. It can stop only when agriculture is made profitable. Nothing can open possibilities of making agriculture in India profitable except a serious drive in favour of industrialization. For it is industrialization alone which can drain away the excess of population which is exerting such enormous pressure on land into gainful occupations other than agriculture.

To sum up, our Reconstruction Committees are no doubt modelled, so far as intention and purpose is concerned, on the Reconstruction Committees which have come into existence in most European countries whose industrial organization has been destroyed by the Germans. The problems of reconstruction differ, and must differ from country to country. In some countries the problem of reconstruction is a problem of reconditioning of rundown plant and machinery.

## Nature Of Problem In India

In some countries the problem of reconstruction is a problem of replacement of tools and plants which have been destroyed in the war. The problem of reconstruction in India must include consideration of all the questions with which other countries engaged in war are concerned.

At the same time we must not forget that the problem of reconstruction in India is essentially different from the problem of reconstruction in other countries. In other countries the problem of reconstruction is a problem of rehabilitation of Industry which has been in existence.

*The problem of reconstruction in India, as I see it, is a problem mainly of the industrialization of India as distinguished from the rehabilitation of industry and industrialization but in the ultimate sense the removal of chronic poverty.*

I, therefore, hope that we shall tackle the problems connected with electricity in an earnest and in a statesmanlike manner thinking it terms of human life and not in terms of the competing claims of the Centre *versus* the Provincial Government.

I do not like to end on a note of pessimism though the memory of the past efforts of reconstruction is nothing but sad. War seems to give birth to an urge for Reconstruction for the same reasons that necessity gives rise to invention or adversity to belief in God. The pity of it is that this urge which is born out of the war seems to the with peace. That did happen in India with the reconstruction scheme put forth by the Indian Industrial Commission and the Indian Board of Munitions after the last war. I have faith that this time the reconstruction plan will not be allowed to languish and fade away. We have in this war the compelling force of what William James called "the pungent sense of effective reality" of what poverty in India is, which the statesmen of the last War did not have.

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## * Help for Scheduled Castes Students and Indian Evacuees

*Proposals Approved by Standing Finance Committee*

Grant of scholarships to scheduled castes students pursuing education in scientific and technological subjects and expenditure on Indian evacuees from war zones and dependants of persons detained there, were the two important proposals approved by the Standing Finance Committee at its meeting held in New Delhi on November 20, 1943, with the Hon'ble Sir Jeremy Raisman, Finance Member to the Government of India, in the chair.

The former proposal will involve an annual grant of Rs. 3 lakhs for 5 years and the latter is expected to entail an expenditure of Rs. 225 lakhs in 1944-45.

### Scholarships

It was stated that in order to assist members of the scheduled castes, who had reached the high school stage, to obtain higher education, it was proposed to grant scholarships to the extent of 3 lakhs a year for five years. The scholarships would be awarded for scientific and technological studies both in India and abroad.

The Committee approved the proposal.

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* Indian Information, December 15, 1943, p. 337.

# 23

## * Labour Member's visit to Jharia Coalfields

The Hon'ble Dr. B.R. Ambedkar, Labour Member, the Hon'ble Mr. H.C. Prior, Secretary, Labour Department, and Mr. R.S. Nimbkar, Labour Welfare Adviser to the Government of India, visited Dhanbad recently to study working conditions in the coalfields.

During their stay at Dhanbad, they discussed with employers and employees, proposals to increase the production of coal and to deal with the situation arising out of the labour shortage in the fields.

With the reintroduction of the employment of women underground, the question of giving concessions to colliery labour and to improve welfare conditions in the fields has assumed additional importance. It is learnt that the Central Government are taking immediate steps to secure food and other concessions for the workers. Difficulties arising out of insufficiency of food supplies in Bengal and insufficient concessions to workers, both in Bengal and Bihar, have been under the consideration of Labour Department for some time.

The question was discussed at the recent Coal Conference held in New Delhi, and it is understood that further consultations took place with the industry during the Labour Member's stay at Dhanbad.

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*Indian Information, December 15, 1943, p. 336.

# 24

## * Labour Member visits Coalmines

### *Inspects Working Conditions and Miners' Home*

The Hon'ble Dr. B.R. Ambedkar, Member for Labour, Government of India, arrived at Dhanbad on Thursday, December 9 to study working conditions in the coalfields. Among those present to receive him were a number of local officials, including Mr. S. N. Mazumdar, Labour Commissioner, Bihar, and Mr. W. Kirby, Chief Inspector of Mines, and representatives of various Mining Associations and colliery owners. Mr. H. C. Prior, Secretary, Labour Department, and Mr. R. S. Nimbkar, Labour Welfare Adviser to the Government of India arrived earlier in the day.

Immediately after arrival the Labour Member, accompanied by the Chief Inspector of Mines, colliery owners, Mr. Prior and Mr. Nimbkar, drove to Bhulanbararee Colliery. The representatives of workers, Mr. Karnik, representing the Indian Federation of Labour, and Miss Shanta Bhall Rao, representing 'the All-India Trade Union Congress, also accompanied the party to study working conditions in the coalfields. The programme included inspection of both surface and underground conditions of work.

### 400 Feet Underground

Wearing "Safety hats" very much resembling well-known Army tin hats in shape, the Labour Member and party went 400 feet underground in two batches where they saw workers cutting coal. There were some women workers who had been recently employed in the colliery as a result of the removal of prohibition on employment of women in mines. The Labour Member, Mr. Nimbkar and others in the party

*Indian Information, January 1, 1944, pp. 39-40.

asked the workers a number of questions concerning their wages and earnings.

At another stage during the inspection of Bhulanbararee Colliery, the party saw stowing operations in progress. During the course of the surface inspection, Dr. Ambedkar had friendly chats with workers regarding their wages and earnings.

The Labour Member then proceeded to the workers' quarters in the vicinity of the colliery. *Ham ander a sakte hain*—with these polite words in Hindustani the Labour Member took permission of the occupant to enter his house, which was readily given. He inspected the furniture and other contents of the house and looked round to see the ventilation arrangements.

The party were then taken to a well-equipped and cleanly-kept hospital, maintained by owners of this colliery, where the Labour Member chatted with a few indoor patients. He was also taken round a special ward for women workers.

**At Workers' Colony**

The party then drove to the Digwadih Colliery where they saw modern plant and equipment used for the production of coal. Here the Labour Member spent about an hour in the workers' colony and saw various types of houses built by the proprietors for their workers. He took great interest in the methods and channels of recruitment for colliery labour. The programme for the day included inspection of the Tisra Colliery. The inspection began with the examination of rates of wages paid by employers of the colliery to workers. It was late in the evening when the party came out to make surface inspection of the colliery. The workers were leisurely returning to their homes, carrying spades, pick-axes and kerosene safety lamps. The Labour Member thus had an opportunity of seeing workers and their womenfolk preparing their evening meals in their homes. He was very keen on acquainting himself with the quantity and nature of food available to and consumed by workers. At the *Tisra* Colliery he also saw a few quarries where men and women were doing surface work.

**Visit To Raniganj Coalfields**

**Dr. B. R. Ambedkar** and party devoted Friday to studying

working conditions and methods of coal production in some Raniganj coalfields.

The inspection began with an examination of the arrangements being made by proprietors of the Sivapur Colliery for the welfare and medical care of their miners. The party were taken round a quadrangular single-storied white hospital building containing modern X-ray equipment and other surgical apparatus. It was learnt that the hospital would start working shortly.

Later in the day, the Labour Member was taken to a Leper Welfare Centre where leprosy in its earlier stages can effectively be treated. Dr. Ambedkar also visited a small compact building accommodating a baby welfare centre where he saw frailbodied children of miners, who were being looked after by ayahs. The Labour Member expressed appreciation of these welfare efforts but asked why the children were frail and rickety. He was told that it was due to a deficiency of nutritive food.

**School For Miners' Children**

Winding their way along the road to Sitapur Colliery, the party visited a primary school where workers' children garlanded Dr. Ambedkar. The Labour Member chatted with a seven year-old boy—a miner's son—who answered questions regarding the earnings of his family *in halting but understandable English.*

Earlier in the day the party inspected the Sodhpur Stowing Plant—a huge mechanical structure drawing 200 tons of sand per hour from the Damodar basin in the vicinity and conveyed to the mines by automatic ropeways.

The party also inspected underground conditions of work in Sitapur colliery. They descended about 1,000 feet and saw coal being raised by up-to-date coal-cutting machinery.

On the way back to Dhanbad the Labour Member visited the "dhowras" (one-room tenements) in the Workers' colony at the Begunia collieries. The rooms were dark and, in one case, a calf, lazily chewing dry grass, was seen in the small verandah-sharing with the inmates their *scanty* accommodation. Dr. Ambedkar chatted with the inmates. It was learnt that workers get coal free of charge in sufficient

quantities for domestic use. He made further enquiries regarding food, clothing and health of the workers.

## Labour Problems Discussed At Dhanbad

The reason for the present shortage of coal and the measures to overcome it were discussed on Saturday at Dhanbad at a conference attended by representatives of the Central Government, the Governments of Bengal and Bihar, the three Mining Associations and spokesmen of Labour. The Hon'ble Dr. Ambedkar Labour Member, presided.

In a short opening speech the Chairman compared the conference with the Tripartite Labour Conferences at which questions relating to industrial labour are discussed. He emphasised the importance of producing more coal both for India's industries and war effort and hoped that the representatives of employers and employees would be able to give their best advice on the matter.

The reasons for the fall in labour were given as the exceptionally good harvest, which required more labour than usual owing to the "Grow More Food Campaign" and the competition of military work. Measures to meet the situation were considered, and employers' representatives asked for more petrol and tyres to help in bringing labour from neighbouring villages to the collieries.

A rationing scheme, proposed by the Central Government some time ago, and aiming at providing miners (both men and women) with an adequate ration, was the next item on the agenda. During the discussion, the possibility of the introduction by the Bihar Government of a rationing scheme in the area was mentioned and it was decided that the scheme introduced for the mines would have to be reconsidered if this occurred.

The scheme for miners' supplies includes provision for food for mine-workers' dependants. While fixing five days as the minimum number of days that must be worked to ensure the full week's ration, the scheme also provides for adequate supplies for those who work fewer days. It was agreed that rice should be sold initially to workers at six seers per rupee, and that necessary quantitities of dal should also be sold at the same price.

The Conference also considered a scheme proposed by the Central Government for the supply of other commodities like salt, mustard oil, standard cloth and other consumer goods to workers—the intention is that bulk supplies should be placed at the disposal of Mining Associations for distribution to collieries. Among other measures put forward by Government for consideration as measures to promote the welfare of colliery labour, was a scheme for a Welfare Cess to be imposed forthwith to create a fund from which expenditure on welfare would be incurred and a proposal to appoint Labour Officers in all collieries with a production of over 100,000 tons.

**Increase In Wages**

The Conference agenda also included a number of items relating to wages of colliery workers, and Mining Associations seemed ready to make a further increase in the wages prevailing in 1939, bringing the temporary war increase to a total of 50 per cent above pre-war wages. They were, however, apprehensive that this increase would be wasted unless adequate stocks of consumer goods were available in the coalfields and the necessity of ensuring this was recognised.

Other items discussed included the possibility of applying the Payment of Wages Act to coalmines and certain difficulties of its application to the coal industry were noted. Requests from the industry in regard to assistance in matters of Excess Profits Tax and provision of machinery were also considered.

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# 25

## * Promotion of Labour Welfare in India

Question relating to dearness allowance for industrial workers, absenteeism, maintenance of service records and canteens were among the subjects discusssed at the fourth meeting of the Standing Labour Committee which was held on January 25 and 26 in Lucknow.

The meeting was held at the Council House, the Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India, presiding. Five delegates each of employers' and workers' organisations, five delegates of Provincial Governments and three delegates representing the Indian States attended.

### Dr. Ambedkar's Speech

In his opening remarks, the Chairman, referring to the steps which are being taken by the Central Government to implement the decisions taken at an earlier session of the Standing Labour Committee, indicated that the Government had decided to introduce the Fair Wages Clause in contracts entered into by the Central Public Works Department. The question of introducing a similar clause in contracts entered into by other Departments of the Central Government, he said, was under consideration.

The Chairman also announced that in pursuance of the resolution passed at the last Plenary session of the Labour Conference, the Government of India had appointed a Labour Investigation Committee for the investigation of wages, earnings and other conditions of labour. The question of extending the enquiry in a suitable manner to agricultural wage earners, he said, was also being considered in consultation with the Provincial Governments.

The Committee then discussed the method of Statutory Wage Control in India if and when such statutory control was found necessary.

*Indian Information, February 15, 1944, pp. 151-52.

It appeared that the delegates generally considered that Wage Boards, when a decision was taken to set them up, should be on a Provincial basis and deal with individual industries.

After a brief discussion on the Employment Exchanges Scheme and statements by Provincial Government representatives on the progress of the Scheme in the provinces, the Committee considered Model Provident Fund Rules circulated by the Central Government for eliciting the opinion of the delegates as well as some details regarding the management of the Fund, the contribution of Employees and Workers and Advances from the Fund.

**Dearness Allowance**

The Committee also considered the report on Dearness Allowance, submitted by the Gregory Committee which was constituted by the Chairman of the Tripartite Labour Conference in pursuance of a resolution passed at the last session of the Conference. Among other points arising out of the report questions relating to general principles for fixing dearness allowance, the nature of these principles, the desirability of having different rates for different industries or different regions, and the relation of dearness allowance to rising or falling Cost of Living Indices, were discussed.

The Committee, it is understood, agreed that general principles should, to the maximum extent possible, be laid down by the Government for dealing with the question of dearness allowance paid or to be paid by industrial concerns. Agreeing that the report of the Subcommittee would serve as a useful guide to Government in laying down principles for dearness allowance, the Committee decided to forward the report to the Government of India for consideration in the light of opinions expressed by the delegates.

**Absenteeism**

A draft scheme for a sample survey into absenteeism in industrial undertakings especially undertakings engaged on war production was one of the items on the agenda. The Scheme aims at a factual survey of the problem including investigation of causes like sickness, accident, leave, social or religious reasons, transport difficulties, lateness which result in absenteeism. It is learnt that the scheme was generally agreed to with some amendments.

Earlier during the Session, the Committee reviewed the progress achieved in respect of opening cooked food and refreshment canteens for workers in industrial concerns. It was revealed that in spite of difficulties such canteens were functioning in considerable numbers and were proving popular among the workers.

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## *Coal Mines Labour Welfare Ordinance, 1944

An ordinance entitled "The Coal Mines Labour Welfare Ordinance, 1944," has been promulgated today, constituting a fund for financing activities to promote the welfare of labour employed in the coal mining industry. The Ordinance extends to the whole of British India and comes into force at once, said a Press Note issued by the Labour Department, Government of India, on January 31. It continued :

To create the fund, the Central Government will levy a cess on all coal and soft coke despatched by rail from collieries in British India, at a rate to be fixed from time to time by notification in the *Gazette of India* after consultation with an Advisory Committee. This duty will not be less than one anna and not more than four annas per ton. The duty will be collected, on behalf of the Central Government, by the Railway Administration by which coal or soft coke is carried.

While the Ordinance generally provides that the proceeds thus realised will be credited to a Labour Welfare Fund to meet expenditure on measures "necessary or expedient to promote the welfare of labour employed in the coal-mining industry", it specifies a number of items for which the fund may in particular be utilised. The labour welfare programme to be financed from the Fund aims at providing housing, water supplies, facilities for washing, improvement of educational facilities and standards of living among the workers, including nutrition, amelioration of social conditions and the provision of recreation and transport facilities.

The improvement of public health and sanitation, the prevention of disease, the provision of medical facilities and the improvement of

*Indian Information, February 15, 1944, pp. 153-54.

existing facilities are also included. Provision has also been made for giving grants out of the fund to a Provincial Government, a local authority, or the owner, agent or manager of a coal mine in aid of any scheme for the welfare of labour which is approved by the Central Government. This provision will ensure that the fullest use is made of existing organisations with such strengthening as may be necessary, and of existing approved welfare schemes to which support can be given from the fund.

**Advisory Committee**

The Ordinance further empowers the Central Government to set up an Advisory Committee whose members will include, among others, an equal number of members representating colliery owners and workmen employed in the coal mining industry. One member of the Advisory Committee must be a woman. The Committee will advise the Central Government on matters on which the Central Government is required by the Ordinance to consult it and on any other matters arising out of the administration of the Ordinance.

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# 26

## * Lifting of Ban on Employment of Women on Underground Work in Coal Mines

**The Honourable Dr. B.R. Ambedkar** (Labour Member) : Sir, I am happy that our Lady Member thought it fit to bring forth this adjournment motion. I am glad because it gives me an opportunity to explain to the House a matter which has been weiging very heavily on my mind. I do like to say at the very outset in order that the house may understand my feelings in the matter that I do regard this decision of the Government of India as a great misfortune. I am not happy about it. All that I am saying is that given the circumstances in which the Government of India was forced, I do not regard that this is a mistake on our part. I think the House will understand the distinction that I am making.

The debate to which I have listened has rather impressed me that the lines on which most of the Honourable Members have spoken have been mostly of a humanitarian character. They have been, in my humble judgment, greatly removed from what I would call the plane of reality. And when I speak in this debate, I propose to stick to what I call the realism of the situation. I would also like to say that many points have been brought in during the course of the debate as though they were the points on which the decision of the House was called for. I would particularly say that reference was made to the wages prevalent in the coal mines. Reference was also made to the prevalence of unfair welfare conditions in the coal mines and I shall have something to say about them in the course of the observations that I will make. But I think I am justified in saying that having regard to the terms of the motion,

*Legislative Assembly Debates, Vo. I, 8th February 1944, p. 131.

these are rather incidental matters and not matters on which the House is called upon to record its judgment.

Having made these preliminary observations, the first point that I would like to make is that some Honourable Members have given to me the impression that the Government of India was never serious with regard to this convention of preventing women working underground to which they had given their consent in the year 1939 and had within four years withdrawn from it. Sir, I would like to make a few observations on the point in order to put the matter in the right perspective. The House will recall that the Government of India had accepted the principle of prohibiting women working undergroung long before the Convention came into existence. The matter, so far is my study of it goes, was first bdebated in the year 1923 when the Government of India brought in a Bill for the amendment of the Indian Coal Mines Act. I would like to remind the house that the original purpose of the Bill was very limited one. It was a purpose merely to introduce safety measures in coal mines, but when the measure was taken to the Select Committee, the Select Committee in its judgement thought that the Government of India ought to go forward and take a bold step and claim powers in the Act in order to prohibit the working of women underground. In the Select Committee the Government of India accepted the principle. Not only did the Government of India accept the principle but they framed regulations with the definite and deliberate object of eliminating women labour from working underground. As the House will know, the Government of India had laid down a definite programme of annual decrease in women underground. So much so, that two years before the ratification took place in this house, we had, under the policy of the Government of India, no woman labour working in the mines at all. Sir, that fact was referred to by the Honourable the Mover of the Motion. But I was sorry to find that she did not draw the obvious inference which I think I may legitimately draw that the Government of India, long before the convention came into existence, has been very definitely of the opinion that women should not work in the mines and has taken definite steps to bring that state of situation to a close.

The Government of India has been blamed for lifting the ban now on the supposed ground that there has been no justification. I must

confess that I was rather surprised at a statement of that kind. Sir, I would like to point out to the House two considerations, and I would beg of the House to consider whether the two points that I am placing before them do not constitute what I regard as an emergency. Sir, the lifting of the ban on women working underground has a direct reference to coal. That is an indisputable fact. I would like the Honourable members of the House to consider whether coal could not be called a strategic material from every point of view. I ask the House to consider whether it is not a strategic material from the standpoint of the industry, I would ask the House to consider whether it is not a strategic material from the standpoint of transport, whether it is not a strategic material from the point of civil consumption. We are not dealing, I want to emphasise this fact, with an article the use of which we could avoid at our option. It is a thing which we must have, and I submit it is a thing which we must have before we have food or before we have anything else. That is one point I want the House to consider. The second point that I want the House to consider is this. Would it have been possible for the Government of India to wait until the situation had righted out itself. I know very well, as most Honourable Members know, that coal would have been produced in the ordinary course. It may not have been produced in 1943, it may not have been produced in 1944, but it may have been produced in 1945. But the question which I would like the House to consider is this : is it a case in which we could wait ? Is it a case in which we could allow the natural course of things to take its place ? Sir, I make bold to say that this is one of those cases which is of such urgent and immediate importance that steps may be taken and a Government which does not take the steps to right the situation immediately is not a Government worthy of its name. Therefore, let us not forget that we are dealing with an emergency and the lifting of the prohibition from allowing women to work underground is not an idle act or a wanton act on the part of the Government, but is an act which is amply justified by the facts and circumstances of the case. Therefore, Sir, the conduct of the Government must be judged in the light of the emergency. I would request Honourable Members to judge the conduct of the Government in the light of these two circumstances only. Has the Government failed to do something which it ought to have done ? Has the Government done something which it was needless for it to do ? My submission

is that judging it in the light of these two considerations which I have mentioned, I have no hesitation in saying that the Government's action is perfectly justified.

My Honourable friend, Mr. Joshi, said that this was a convention which could not have been broken. I agree that it is one of those conventions which does not contain a clause for its own suspension. But I have no hesitation in saying that every nation has got a right to break an international convention or an international treaty under certain circumstances. That has been a well established principle of international law. I am glad to say that in the debate that took place at Geneva in 1940, in the Governing Body, that was more or less the general opinion. Sir, could we have avoided taking steps that we have taken ? I should like to detail to the House some of the circumstances which have led the Government to take this measure. There is not the slightest doubt that shortage of coal was due to shortage of labour. That is circumstance, which I think, is beyond dispute. Now, Sir, the shortage of labour was due, according to the examination which Government made to three causes. First of all, there was the grow-more-food campaign started by the Government of India. There was the opportunity of increased employment on military works. Any one who dispassionately considers employment in coal mines as against the results of the grow-more-food campaign and the increased opportunities for employment in military works can well understand why there should have been shortage of labour in coal mines. Sir, it is quite clear that in the present circumstances, where prices of foodgrains are rising so rapidly, the grow-more-food policy should attract people to agriculture. If people who have been working in coal mines and who, as every one knows, are purely agriculturists, if they are drawn to grow-more food policy, it would be a matter of no surprise. Similarly, the military works with their increased earnings attract these people. But, Sir, there is one other circumstance which although I know that some Honourable Members who have spoken have made very light of it, is none-the-less a reality. In the first place, it is quite clear to every one that work under coal mines is the most uncongenial work, even dangerous. Nobody likes it and any workman who finds an opportunity to work on the surface is bound to take the earliest opportunity to leave the coal mines. The grow-more-food campaign and the military works

are those works which provide an opportunity to the coal miner to obtain what I call less dangerous and more congenial piece of work. The second thing is, I will repeat it again, that both in the grow-more-food campaign as well as in the military works, the coal miner has the advantage of both earning himself and also haying an earning for other members of his family.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has one minute more.

**The Honourable Dr. B.R. Ambedkar :** I am sorry, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim) : I have no discretion in the matter. The Honourable Member should conclude.

**The Honourable Dr. B.R. Ambedkar :** That being so, Sir, there has been a shortage of labour.

I should like to refer to two other points which I think it would be necessary for the House to take into consideration. The first thing is that Government have certainly not gone headlong in this matter as though it was a matter of no consequence. I should like to tell the House that Government have proceeded with great caution. Its first notification applied only to the C.P. and did not apply to the whole of the coal area. It was in November that Government thought that a case had arisen for extending the notification to Bengal and Bihar, and it was only in December that Government extended the notification to Orissa. We have also taken care to see, and this is an important point, that women shall be paid the same wages as men. **It is for the first time that I think in any industry the principle has been established of equal pay for equal work irrespective of the sex.** We have also taken care that women shall not be required to work in a gallery which is less than 5½ feet. The House will also remember that these notifications are of a very temporary character, and I want to emphasise this point. We have not said that these notifications will last during the period of the war; we have kept the matter absolutely fluid ; we are in a position to revoke them at any time that we like and that we can. And I should like to tell the House that we regard this as a purely emergency and temporary measure. We are also doing one other thing in order to shorten the period of the notification. For instance, we are instituting a labour camp where we are recruiting male labourers to be sent to the

**Emphasis supplied.*—Ed.

coal mines. We are taking another measure in order to shorten this period, namely, to employ what we call Labour Supply Committees in order to furnish the contractors who are working on military works for labour so that workers will be released for coal mines.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member's time is up.

**The Honourable Dr. B.R. Ambedkar :** Sir, if you will give me one minute.....

Mr. President (The Honourable Sir Abdur Rahim): I am afraid I cannot. The rule is somewhat peremptory.

**The Honourable Dr. B. R. Ambedkar** : The House will therefore see that this is a purely emergency measure and Government have no intention of continuing it a minute longer than the necessities of the case require.

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# 27

## * The Coal Mines Safety (Stowing) Amendment Bill

**The Honourable Dr. B.R. Ambedkar** (Labour Member): Sir, I move:

> "That the Bill further to amend the Coal Mines Safety (Stowing) Act, 1939, be taken into consideration."

Sir, this Bill seeks to make certain amendments to the Coal Mines Safety (Stowing) Act of 1939. As Honourable Members of the House will remember the Coal Mines Act was passed in 1939. It created a body called the Stowing Board. The function of the Board was principally to administer the fund which is raised by the levy on coal and coke and to spend it on the stowing of coal mines in order to prevent fires in the mines. In the course of the administration of this Act, it has been found that there are certain defects which need to be remedied. This Bill proposes to deal only with three of such questions because it has been found that they are the most urgent and need immediate attention. Of these three questions, the first question is the one which relates to the amendment of section 8. The House will remember that section 8 deals with the functions of the Board and prescribes the object on which the money arising out of this fund could be spent. Section 8 permits the Board to spend money to meet the expenses of the administration. Secondly, it allows the Board to grant stowing materials and other assistance to owners or agents and managers of coal mines for stowing operation. Section 3 permits the Board to execute other operations in furtherance of the objects of the Act, and fourthly, it permits the Board to spend money on research work connected with stowing. It has been found that section 8 does not make any provision for permitting the Board to spend money on stowing operations

*Legislative Assembly Debates (Central), Vol. I, 23rd February 1944, pp. 443-46.

undertaken by itself. This, it is found, is a great lacuna. It is necessary in the opinion of the experts that such a power should be given to the Board and consequently the first amendment which clause 2 of the Bill proposes to make is to alter the wording of sub-clause (iii) of clause (1) of section 8, by permitting the Board to undertake stowing directly by itself and to spend money on that purpose out of the fund which it controls. The second amendment to the Bill relates to section 10. Section 9, sub-clause (3) of the Coal Mines Safety (Stowing) Act permits the Chief Inspector of Mines to issue an order on the owner or the agent of a coal mine, and to require him to take such protective measures as may be necessary in the interest of the safety of coal. Section 10 of the Act makes such an order an appealable order, but it has been found that while the order issued by the Coal Mining expert or the Inspector is an appealable order, there is no provision made in the Act to permit the owner to go to the appellate body and obtain stay or execution of the order issued against him by the Inspector of Coal Mines. It has been suggested that this is an unfortunate provision, that there should be a right of appeal, but there should not be a provision for the stay of execution of the original order. This lacuna is sought to be removed by the addition of a proviso to section 10 of the present Act and this is done by clause 3 of the present Bill. The third amendment which is sought to be made in the Act relates to the question whether the Board should or should not have authority to undertake stowing by itself. Stowing is an important function. Its purpose is to save coal which otherwise is likely to burn away. It has been found that there are some mines which are abandoned, over which there is nobody to exercise any control, and most persons, it has been found, very easily abandon mines whenever they find that the coal underneath has taken fire. There are cases where the ownership of a mine is in dispute or where the owner is not in a position to undertake stowing operations himself. Consequently in such cases there is nobody on whom the liability for stowing could be imposed nor is there anybody on whom an order could be served. To avoid such a situation, it is felt that power must be given to the Board in order that the Board might itself undertake the work of stowing. Incidentally, if the Board is to perform such a task it must also be given the power to enter upon the land which is the property of the mine owner. This is sought to be done

by a new clause which is 10-A, and it gives power to the Board to undertake the stowing and also to have the power to enter upon the premises.

The Bill is a very simple measure and I do not think it needs any more explanation than I have given. It is a non-controversial measure and I hope the House will accept it.

Sir, I move.

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**The Honourable Dr. B.R. Ambedkar :** Sir, I move :

"That the Bill be passed."

I should like to take this opportunity to explain the point of view of Government with regard to certain points that have been raised by my Honourable friends. With regard to the point made by my Honourable friend, Mr. Miller, that Government have been getting into the habit of pulling forth these Bills without sufficient notice what I should like to say is this. It is of course not possible for me, speaking individually, to bind Government as to the precise sort of action that Government ought to take with regard to these Bills. But with regard to the present measure I should like to say that I do not think that Government can be accused of being in a position of rushing the Bill through. I would remind the Honourable Member that this Bill has been under consideration for not less than six months. Secondly, and this is an important point, I would like the Honourable Member to bear in mind the Bill, as put forth, has been suggested, in fact practically drafted, by the Slowing Board itself, and Slowing Board, as the honourable Member will remember, is the most representative body that can be found to be connected with the coal mining industry. And, therefore, I certainly do not think that I should be criticised, so far as this particular measure is concerned, for having rushed through the Bill.

With regard to his other point, namely, that this measure will be used and put into action only whenever there is an emergency arising and not otherwise, I am quite prepared to give him that assurance. In fact, it is our intention to confine the powers which we are now giving to the Board to emergencies only.

With regard to the point made by my Honourable friend, Dr. Zia Uddin, who is not here at present, I did not quite appreciate what he

was suggesting. So far as I have been aware, I have never known that there has been any point of difference or dispute between the Coal Mining Stowing Board and the coal owners, and I do not think that the provisions which we are now introducing are going to create any difference of opinion between the coal owners and the Stowing Board. They have been, so far as I know, more or less a happy family, and I have not come across a case where the Board has decided upon a policy which has been opposed by any particular member of the Coal Mining Association.

My Honourable friend, Mr. Hooseinbhoy Lalljee, raised a point which, I think, does require consideration, namely, as to the rights of the Government over the mines over which Government has spent money in stowing. I am sure that it is a valuable suggestion and an important point, and at some later stage I shall be able to say what Government's attitude on that point will be.

Sir, I have nothing more to say.

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# 28

## * Government's Policy Towards Labour

### *Speech in Central Assembly*

"I think I may say that whatever may be said with regard to the Government of India in the matter of labour it can be legitimately claimed that there has been a new orientation with regard to the attitude of Government in respect of labour," observed the Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India, replying to the debate in the Central Legislative Assembly (on March 16) on Mr. N.M. Joshi's cut motion on the policy of the Labour Department regarding labour questions. Dr. Ambedkar said :

"Mr. Joshi has travelled over such an extensive field and raised so many points that I feel that it would be hardly possible for me to deal with each one of them specifically and to discuss what he has said and what I, as representative of the Labour Department, have to say in reply. Having regard to the inadequacy of time, 1 am bound to pick and choose such points as I think are necessary for me to reply to in the course of this debate.

**Conditions Of Labour**

Sir, Mr. Joshi started by making a general statement that the conditions of labour in India were extremely unsatisfactory as compared with conditions obtainable in the rest of the world. Sir, it is not my business to say from here that I dispute that proposition. Undoubtedly it is a fact. All that I want to say is this, that it can hardly be said to be the responsibility of the Government of India if the conditions are as unsatisfactory as Mr. Joshi has depicted them to be.

Sir, the conditions of labour in India are largely governed by the industrial development of this country over which this Government has

*Indian Information, April 15, 1944, pp. 410-13. [Legislative Assembly Debates (Central), Vol. 11, 16th March 1944, pp. 1187-91.]

hardly any control, and therefore it is of no use accusing the Government of India if conditions are really unsatisfactory. Mr. Joshi said that as a result of the examination of the conduct of the Government of India, he found that the Government was guilty of neglect, of inaction. It was timid and whatever it did was on an inadequate scale. I should like to say that in passing this judgment, Mr. Joshi failed to make a distinction which, I think, is a very necessary one to make.

There are labour problems on which there is no dispute. There are labour problems which raise no financial consequences. Now what I would like to know from Mr. Joshi is this: Whether on any labour problem on which there was no dispute between the parties concerned, or which did not raise any financial question, the Government of India had not taken action with all the necessary promptitude that the urgency of the case required ? Sir, I have no hesitation in saying that in all such cases, where there has been perfect unanimity or an approximation to unanimity, and where there has not been the involving of any financial burdens, the Government of India has acted with all the promptitude that is due from it.

**Nawabzada Muhammad Liaquat Ali Khan :** There was no need for action in such cases.

**Dr. Ambedkar :** Very much action is necessary.

**Wartime Measures**

Then Mr. Joshi said that the conditions of labour during the war had suffered great deterioration on account of the fact that Government had granted certain exemptions from the Factories Act with regard to the time of working and they had introduced a limitation of labour's right to strike on requiring 15 days' notice. He also referred to the fact that Government had introduced the National Labour Service Ordinance and the Technical Personnel Ordinance by which people were compelled to stick to certain jobs notwithstanding their unwillingness to do so. I am glad to say that Mr. Joshi had the fairness to admit that in the midst of war such limitations were justifiable, and I would say on my part that wherever any complaint has been brought to my notice with regard to the operation of these wartime measures, I have taken the promptest action to rectify the grievance. I shall give only one instance. I remember Mr. Joshi raised a point that the power given under

the Ordinance to the employer to prosecute the employee was harassment of the labourer. I readily accepted the point and I remember we issued an amendment to the Ordinance to remove the power from the hands of the employer and to hand it to the Crown Prosecutors.

Sir, as I said, I cannot deal exhaustively with these matters but I could sum up the whole situation by saying this, that when I examine the wartime legislation of the Government of India, which undoubtedly has the effect of restricting the liberty of labour, I think two new principles have emerged from it. The first is this : that the Government of India for the first time has taken upon itself the responsibility which it never did before of fixing the conditions on which a labourer may be employed. I think this is altogether a new principle which had no place in our labour legislation so far, and I am sure that this principle which has found its place in wartime legislation will be given a permanent place in the labour legislation of this country.

The second important principle which this wartime labour legislation contains is the principle of compulsory arbitration. Sir, I think my friends, Mr. Joshi and Mr. Jamnadas Mehta, will allow me to say that I have some personal experience of labour. I have known and seen the wasting efforts that labourers have made by going on strike in order to obtain certain advantages from their employers, and I think I can say without exaggerating the matter that I know hardly of a case where the workers, after a long, arduous, painful, wasting struggle, extending over months together, had ultimately to surrender to the employers and go back on their old conditions or conditions much deteriorated.

Sir, the provision contained in Rule 81 of the Defence of India Rules, which gives the Government the power of compulsory arbitration, has been to my mind a matter of the greatest benefit to labour.

There are very few cases, so far as I know, where this power, when it has been adopted, has not given labour what it was struggling to get. There are very few strikes, so far as I know, which have not ended successfully in favour of labour. The complaint which Mr. Joshi makes with regard to the provision contained in section 81 is that we had not employed Rule 81 in each and every case. His contention, so far as I have been able to find out, is that Government is not willing always and in every case, where labour has raised a dispute, to apply this section.

Sir, I have great sympathy with that point; but it is obvious that the contention of Mr. Joshi cannot be accepted. With qualification we could not accept the position which Mr. Joshi has taken up, that is to undertake to apply this rule in every case, the moment a trade union notifies its intention to go on strike, because its grievances have not been met.

**An Honourable Member :** Why is this right being refused to India when it is not refused in the case of other countries ?

**Dr. B.R. Ambedkar :** There is no compulsory arbitration there, if I may tell my Honourable friend.

Dealing with the point, as I said, we cannot accept the principle that the moment a trade union sends a notice to the employer or threatens a strike we should at once proceed to apply Rule 81. We must have the opportunity, we must have on our shoulders the responsibility, of examining whether the grievances are genuine ; otherwise the question of strike may be a matter of day-to-day work, to which I am sure nobody in this House will be prepared to lend countenance.

The other point which Mr. Joshi raised was with regard to the inadequacy of the Labour Department in order to deal with the problems of labour. His contention was that there should be a separate and exclusive Labour Ministry to deal with questions of Labour, that there ought to be officers appointed—one for reporting on the old age pension, another on sickness insurance and the third one on some other urgent labour problems. Now, Sir, it is not my business to controvert what Mr. Joshi has said; in fact, personally, I have a great deal of sympathy with what he said.

## Expansion Of Labour Department

All I wish to say on the point is this : that if we take the circumstances in which we are living and carrying on administration, it cannot be said that the Department of Labour, as it is constituted, is inadequate to deal with the problems arising. Sir, the first thing to be noticed is that the Labour Department is no longer an appendix to some other Department. At one time it was an appendix either to the Commerce Department or an appendix to the Industries Department. It is no longer so. It is a separate and an independent Department. It is true it is not an exclusive Department. All the same let nobody argue that it is an independent and a predominant department in the group of

Departments which are controlled by the Honourable Members in charge of them.

Then, Sir, we have recently considerably expanded the Department. Before 1942, we had only one Under-Secretary to deal with labour matters in the Labour Department. We have now one Deputy Secretary and two Under-Secretaries in the Department. In addition to that we have a Labour Adviser, we have a Labour welfare Adviser—Mr. Nimbkar—we have eight Assistant Labour Welfare Advisers. We have appointed a statistician in our Department in order to collect all labour statistics, and in addition to that we have a very large staff, in fact, a very considerable staff to deal with technical training, which, I am sure, is a matter of great benefit to labour in general.

**An Honourable Member :** A good case for a scrutiny committee.

**Dr. B.R. Ambedkar :** Then, Sir, with regard to the question of appointment of special officers, this is not a matter about which the Department had no knowledge. As a matter of fact, we had made a beginning by appointing a special officer to report on sickness insurance. He was Professor Adarkar. It was our wish and our proposal to go on appointing similar officers to deal with similar problems, to make reports and to suggest means and methods for carrying this proposal into legislation.

But what happened was this. Last August, when the Tripartite Conference met, we placed before them the report for consideration. The Committee and the Tripartite Conference unanimously passed a Resolution that the Government of India should also appoint a Committee to consider social welfare measures and also to suggest ways and means by which the principle of social security could be applied to working classes of India.

To that resolution, I am glad to say, we immediately gave effect, and constituted a Committee which has now been working on that subject. Obviously, Sir, it would have been very wrong for the Department to have gone on appointing other officers to report on separate subjects. We had to wait till the report of the Committee was placed before us. I can assure my Honourable friends that the project which we have of appointing special officers to make investigation into special problems is not abandoned, but will be taken up when the report of the Committee is made available to Government. Sir, I think, that

having regard to what I have stated on the point, Mr. Joshi will admit that, so far as the present machinery of the Government of India to deal with Labour problems is concerned, it cannot be said to be inadequate machinery.

**Tripartite Labour Conference**

Mr. Jamnadas Mehta made certain comments on the Tripartite Labour Conference. He said that the Tripartite Labour Conference should be raised to the level of the International Labour Office. Mr. Joshi said that it should have a separate secretariat and Mr. Mehta also suggested that the member in charge of the Labour Department, who generally presides over the proceedings of the Conference, should divest himself of that authority. Mr. Mehta also said that the reports of the Committee should be placed before the Legislature for rectification.

Sir, I sympathise very greatly with all that has been said by my Honourable friends, Mr. Mehta and Mr. Joshi. I would like to say this. As both of them are aware, the procedure of the Committee is more or less a matter for the Conference itself to decide. This question whether the Conference should have a separate secretariat was discussed at the time when the Conference was inaugurated and I think I am right in saying that the Conference was unanimous in their decision for the time for having a separate secretariat, but in a subsequent Conference it was altered and that gave us a direction of a different character. I have no hesitation in saying that the matter will be considered again.

Sir, there is only one more point about which I would like to say one thing, if I am right in presuming that both Mr. Mehta and Mr. Joshi regarded the Tripartite Labour Conference as a matter of small moment and not of much value. Sir, I beg to differ from this, because I think that the Labour Conference performs so important a function that I think it is really impossible to exaggerate its value.

The point that I would like to make, and I ask the Members of the House to take particular note, is this. If anyone were to examine the agenda which has been placed before the Tripartite Labour Conference or the Standing Labour Committee, I think it would be admitted that the topics placed before them for consideration and discussion have been of the highest moment. I am speaking from recollection, but they

have ranged from almost anything which could be regarded of great moment to the labour world.

I would like to say this. Would it have been possible for the representatives of labour outside the Tripartite Conference to have approached any employer even to consider or to talk about those projects ? I am sure about it that no employer in the present disorganised condition of Indian labour would pay a tuppenny worth of attention to the problems which might be brought before them by representatives of employees.

**I do claim credit for the Tripartite Labour Conference, that, if we have done nothing more, we have at least done one thing, namely, to induce, if not to compel, the representatives of employees to meet the representatives of employers and discuss matters of the utmost and gravest importance.**

I think it is a great service that the Tripartite Conference is doing to the working classes of this country.

**Women In Coalmines**

My Honourable friend, Mrs. Subbarayan, in her speech referred largely to the question of the introduction of women in coalmines. I do not doubt the intensity of feeling which she said she has on a question of this character. But, Sir, I cannot go over the ground once again because the House will remember that this matter has already been discussed on an adjournment motion. I repeat again that I am indeed unhappy over the decision that we have to take and I assure the House that I am taking every possible step in order to increase the labour force to be employed in the mines and in order to increase coal output so that I may be in a position to put the ban on again at the earliest moment possible.

**Shrimati K. Radhabai Subbarayan :** May I ask a question of the Honourable Member ? Did Government consult the Tripartite Conference before issuing a notification about employment of women for underground work in mines ?

**Dr. B.R. Ambedkar :** I am afraid we had no time to do it. As I said it was an emergency and we had to meet it by a most emergent measure.

One point which I would like to mention is the point raised by her, namely, that the Government of India, instead of trying to

remedy the grievances of labour, was engaged in imprisoning labour leaders. Well, Sir, that is not a matter with which I, in my department, specifically deal. We had a great deal of discussion yesterday. I have not seen either yesterday or to-day any specific illustration or instance given to me of any Labour leader having been imprisoned by Government.

**Seth Yusuf Abdoola Haroon :** I just referred to a case in the Karachi Port Trust.

**Mr. Hooseinboy A. Laljee :** Is the Port Trust under you ?

**Dr. Ambedkar :** No.

**Mr. Laljee :** Railwaymen ?

**Dr. Ambedkar :** No.

**Mr. Laljee :** Seamen ?

**Dr. Ambedkar :** No.

**Mr. Laljee :** Then what else have you got ?

**Dr. Ambedkar :** There are very many other categories of labour. I was dealing with the question of imprisonment of labour leaders.

**Smt. K. Radhabai Subbarayan :** Was not Mr. Dange imprisoned ?

**Dr. Ambedkar :** I am just coming to that. Knowing the labour leaders, as I do, the trouble I think is that labour leaders play more than one part.

*They are sometimes labour leaders, sometimes they are communists, sometimes they are national leaders, sometimes they are members of the Congress; and sometimes they are members of the Hindu Mahasabha or of some other organisation.*

**An Honourable Member :** All are to be tabooed !

**Dr. Ambedkar :** It is very difficult to say that labour leader who plays such a multiple part is imprisoned because he is a labour leader and not because he has acted in some other capacity—as a communist, as a member of the Congress, or as a member of the Hindu Mahasabha. In fact, if I may say so with all humility, in my judgment, if labour leaders were to exclusively devote themselves to the labour cause and not to be instruments of political parties of other complexion or other character, or of other programme, then they would be not only excluding themselves from the clutches of Rule 26, but they would also be doing a great deal of service to labour itself. Unfortunately we have not been able to get in this country labour leaders who are exclusively devoted to labour.

**An Honourable Member :** Mr. Joshi is there.

**Dr. Ambedkar :** I do not know if there is any other matter which has been raised in the course of this debate to which I have not given a reply, or which calls for a reply.

**I think I may say that whatever may be said with regard to the Government of India in the matter of Labour it can be legitimately claimed that there has been a new orientation with regard to the attitude of Government in respect of labour.**

**Mr. Amarendra Nath Chattopadhyaya :** What is the policy behind it?

**Dr. Ambedkar :** For the last half an hour I have been saying nothing else.

**Maulvi Muhammad Abdul Ghani:** May I seek one piece of information from the Honourable Member ? How is it that the technicians after being trained at a centre do not get certificates after the training ?

**Dr. Ambedkar :** I will look into it.

**Mr. N.M. Joshi:** Sir, in the hope that this discussion will lead to increased activity and better activity on the part of the Labour Department, I ask leave to withdraw my cut motion.

The cut motion was, by leave of the Assembly, withdrawn.

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***International Labour Conference in Philadelphia**

The Government of India have nominated the following delegation for the forthcoming International Labour Conference on April 20, 1944 at Philadelphia, U.S.A. said a Press communique issued on March 24 :

**Government Representatives :** Sir Samuel Runganadhan, High Commissioner for India, Leader; Mr. H. C. Prior, Secretary, Labour Department, Delegate ; A member of the High Commissioner's Office, Adviser to Government delegates and Secretary to the Indian Delegation.

**Employers' Representatives :** Mr. J.C. Mahindra, Delegate; Mr. D.G. Mulherkar, Adviser.

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*Indian Information, April 15, 1944, p. 416.

**Workers' Representatives:** Mr. Jamnadas Mehta, Delegate; Mr. Aftab Ali, Adviser; Mr. R. R. Bhole, Adviser.

India, as a member of the International Organisation, has undertaken to nominate non-Government delegates and advisers chosen in agreement with the industrial organisations, if such organisations exist, which are most representatives of employers or work people, as the case may be, in their respective countries. The employers' representatives have been chosen in this manner as agreed recommendations were received.

As regards employers, there are two main organisations of employees and they have failed to submit agreed proposals. As Government have no machinery to examine which of the two organisations is the more representative body and as Government desire that labour should not lose its opportunity of having its say at this conference because of its failure to come to an agreement, Government have decided to adopt, for the present, the principle of nominating representatives alternately in agreement with each of the two organisations.

In accordance with this decision they have nominated as representatives of workers the Delegates and one Adviser recommended by the Indian Federation of Labour, and have also included, as an Adviser, Mr. R. R. Bhole, recommended by the All-India Municipal Employees' Federation, who has been accepted as a Co-Adviser by the workers' Delegate.

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# 29

## * Miscellaneous Departments

**Mr. President** (The Honourable Sir Abdur Rahim): The House will not take up Demand No. 64 : Miscellaneous Departments, which was left over.

**The Honourable Dr. B. R. Ambedkar :** Sir, I think my Honourable friend, Mr. Avinashilingam Chettiar, wanted to know how the sum of Rs. 15,26,000 which finds a place here has not been mentioned in the Standing Finance Committee report. I have referred to the Report and I find that what he says is correct. I have sent for information from the Department to find out exactly what items this sum entered here represents. In the meantime if the Honourable Member wants some general information as to the matter with which this supplementary grant is concerned, I am quite prepared to give it to him.

**Mr. T. S. Avinashillingam Chettiar :** All this information is given in the Memorandum.

**The Honourable Dr. B. R. Ambedkar:** The scheme of employment exchanges has been fully explained in the report of the Standing Finance Committee.

**Mr. T. S. Avinashillingam Chettiar :** What we want is explanation for the figures.

**The Honourable Dr. B. R. Ambedkar :** With regard to the bigger item, briefly the facts are these. As Honourable Members know, there has been a great deal of competition for unskilled labour by different contractors working for Government in the civil departments as well as those working for the military department. In order to remove the causes of this competition which has the result of enticing away essential labour from important fields of work, and which has also the consequence of raising the wages of labour beyond reasonable limits, Government thought it necessary to establish certain

* Legislative Assembly Debates (Central), Vol. III, 29th March 1944, p. 1720.

Committees in order to deal with this problem. What the Government has done is to bring into operation two different schemes, one scheme is called Labour Supply Committee scheme, which operates in certain Provinces such as Bengal, Assam which are very closely situated with military operations. The second thing which the Government has done is to raise what are called depots of labour, and one particular depot is the depot which has been established at Gorakhpur. Most of the unskilled labour is collected and sorted out and supplied either to coal mines or to military works. The expenditure which is mentioned under 'M'—Labour co-ordination of unskilled scheme—is really expenditure which is concerned under these two schemes which I have mentioned. That is all I have to say.

**Mr. N. M. Joshi** (Nominated Non-Official): Sir, the Honourable Member has told us about his two schemes, one is the Labour Supply Committee and the second is the scheme of arranging for depots for supplying labour and sending them for different purposes to other places. Now, Sir, as regards this Labour Supply Committee, I would like the Honourable Member to tell us whether there are any representatives of labour on these Committees wherever these Committees are started.

**The Honourable Dr. B. R. Ambedkar :** I might just mention that I only passed orders yesterday for the representation of labour on these Labour Supply Committee.

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# 30

## * Protection of Mosques in New Delhi

**Mr. President** (The Honourable Sir Abdur Rahim): Amendment moved:

> "That for the original Resolution the following be substituted :
>
> "That this Assembly recommends to the Governor General in Council that in order to protect and keep in proper repairs the mosques situated in New Delhi area, he should be pleased to take the following steps :
>
> (a) instruct the Department concerned to allot those bungalows in the compounds of which mosques are situated subject to the stipulation that no obstruction should be offered to their restoration or to the use of such mosques by Muslims for offering prayers therein; and
>
> (b) further instruct the Department concerned and the New Delhi Municipal Committee to give all facilities, assistance and necessary legal permits to such Mussalmans as come forward to repair, restore or rebuild any existing mosque in New Delhi area."

*** The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, this Resolution falls into two parts—part (a) and part (b). I am concerned with part (a) only. Part (b) will be dealt with by the Honourable the Secretary for Education, Health and Lands Department. Part (a) with which I am concerned makes two recommendations. One is that the Government should undertake to allot bungalows with mosques in their compound to Muslim employees of the Government of India. The second recommendation is to instruct the occupants not to obstruct the restoration or the use of such mosques for offering prayers by anyone who cares to come and offer prayers there.

I would like to say that I am sorry that I cannot accept either of the two recommendations. I do so not because I do not appreciate the sentiments which have moved by my Honourable friend to table the Resolution but because of the inherent difficulties which are involved in the acceptance of this Resolution.

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* Legislative Assembly Debates (Central), Vol. III, 30th March 1944, p. 1798.

Taking the first part of the Resolution, my Honourable friend, Sir Yamin Khan, said that the Government had already allotted or reserved a particular House for an Honourable Member who happens to be a Muslim. I believe he referred to this in order to support his plea that the principle had already been accepted. Sir, I would like to state categorically that that is a mistake. No house is reserved for any Honourable Member. It happens to be an accident that the house to which he referred has been occupied by a Muslim Member. But I have not the slightest doubt that should there happen to be a vacancy in that house, which I hope not, it will be open to any Honourable Member next senior to him to claim that house irrespective of the question whether the Honourable Member is a Muslim or a non-Muslim.

**Sir Muhammad Yamin Khan :** But a purdah wall has also been built.

**The Honourable Dr. B. R. Ambedkar :** That is another matter. I am dealing with principles.

Therefore, the Government of India has not accepted the principle. I am going to point out to my Honourable friend that so far as the present times are concerned, it is quite impossible for the Government to accept any such rigid principle.

Sir, what does the acceptance of the principle mean ? It means two things. It means that the Government should undertake to serve a notice on non-Muslims who are occupying the sort of bungalows which are the subject-matter of this Resolution and to have them vacated. That would be the consequence if the Government accepted the Resolution.

The second consequence of the acceptance of the Resolution would be this : supposing there was a vacancy in such a bungalow, and that an officer to whom such a bungalow could be allotted happened to be a non-Muslim who was called by Government from outside to stay in Delhi, and whose presence was absolutely necessary ; under the circumstances Government should not allot the accommodation to him. Sir, my humble submission is that that is an impossible condition; and

in view of the present circumstances, when there is such tremendous paucity of accommodation, and when officials who are called here have to live in hutments and in all sorts of improvised accommodation, for Government to adopt a rule of this kind would be—I do not wish to say,—a dog-in-the-manger policy. My Honourable friend can easily realise that this is not a thing which can be accepted by Government in the present circumstances.

Coming to the second part of the Resolution which asks Government to put certain restraints upon the occupants, I am sorry to say that that also is bound to create great difficulties. Sir, it is quite well-known that a landlord is entitled to put certain restrictions on a tenant. But I have no doubt that my Honourable friend, Sir Yamin Khan, will agree that the landlord can put such restraints upon a tenant which are intended primarily for the preservation of the premises. I have not got time to go into this in any detail. But the sort of restrictions which my Honourable friend desires Government should impose upon the tenant are not justifiable on the ground that they will not be for the preservation of the premises.

Now, Sir, I come to the second difficulty. What would be the position of the tenant who is subject to this kind of stipulation. Sir, I have no doubt and I feel quite certain that I am not exaggerating the matter, that if I were to introduce the kind of stipulation which is mentioned in the Resolution that every man, whether he is Muslim or Non-Muslim, should open his compound to anybody who wants to come and say his prayers, will be nothing short of destroying the privacy of the premises and to convert it, if I may say so, into *a musaffir khana*. I have no doubt about it that it would be very difficult to impose such a stipulation on a non-Muslim tenant, and I have not the slightest doubt in my mind that it would be difficult to impose a similar stipulation on a European occupant. But I venture to suggest that even a Muslim occupant would not very readily consent to the kind of stipulation which my Honourable friend wants me to impose. It is quite apparent that my Honourable colleague who is occupying premises of the kind mentioned in the Resolution, with all

his religious proclivities, would not allow a crowd to enter his compound to say prayers.

Sir, I am sorry that for the reasons I have mentioned, and I think my Honourable friend will agree that they are not reasons of a temporary character, I am unable to accept this Resolution.

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# 31

## * The Factories (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir I move:

> "That the Bill further to amend the Factories Act, 1934, be taken into consideration."

This Bill is a very simple piece of legislation and it is also a non-controversial piece of legislation. The Bill proposes to make four amendments and the sections which are sought to be amended by this Bill are sections 9, 19, 23, 45 and 54.

Section 9 is a section which legislates that the occupier of a factory, before starting the factory, should send to the Inspector of Factories a notice giving certain particulars. Now, it has been found out that under this section the Inspector of Factories is not entitled to ask for the particulars from the occupier of the factory which he thinks he ought to have, nor the occupier is bound to give any such particulars. Recently it has been found out that the occupier of a factory, who wants to start a factory, has refused to give certain important information which the Inspector of Factories requires. In order to remove this difficulty, section 9 is amended and the amendment gives powers to Government to ask for certain particulars which the Inspector requires for his purposes.

Section 19 deals with the supply of water and washing places in the factory. As the section stands now, the provision for a washing places is confined to factories involving contact by workers with injurious and obnoxious substances. The section docs not require owners of factories of cither kind to provide washing places. It has been suggested that this limitation ought to be removed because washing places are necessary for all sorts of workers and not merely for those whose work brings them in contact with injurious and

* Legislative Assembly Debates (Central), Vol. III of 1944, 4th April 1944, p. 1929.

obnoxious substances. The amendment, therefore, makes provision for making washing places obligatory on all factories.

Section 23 deals with fire-escapes to be installed in a factory. Here, again, it has been found that the section is defective. The section leaves to the occupier required. It does not give to Government the power to prescribe the number of fire-escapes that a particular factory may find it necessary to have. Consequently, section 23 has been amended by the present Bill in order to give power to Government to prescribe the requisite number of fire-escapes which the Factory Inspector may find it necessary in the circumstances of a particular factory.

Then, Sir, coming to sections 45 and 54, the position is this. These sections deal with two matters. They deal with hours of work which a child and a woman is required to work in a factory. They also deal with what are called the limits of the spreadover. The present amendment docs not in any way alter the provisions with regard to the number of hours which a child or a woman is required to work in a factory, nor docs it in any way affect the 13 hours spread which has been prescribed by these provisions. All that the present amendment does is to alter the limit of the spreadover by changing 7-30 p.m. to 8-30 p.m. This change has become necessary on account of two reasons. Firstly, it is due to the change in the standard lime and, secondly, it is due to the necessity for saving light.

Sir, I do not think anything more is required from me to explain the provisions of this Bill. I move.

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

> "That the Bill further to amend the Factories Act, 1934, be taken into consideration."

I find notice of amendments has been given by Maulvi Muhammad Abdul Ghani, but he is not in the House. The House, will, therefore, proceed with the consideration of the Bill.

**Mr. Muhammad** Nauman (Patna and Chhota Nagpur *cum* Orissa : Muhammadan): Sir, I agree with the Bill and its principle as explained by the Honourable Member. My only objection is that the Honourable Member has not taken pains to consult the opinion of the Chambers and the merchants who would have been really the proper people to say whether such amendments were necessary. What I am

afraid of is that by placing restrictions in the manner proposed in section 19 it may be more difficult for the people who have factories or who are establishing factories to have that Schedule which they want to prepare. That is my only trouble. If I am convinced that the Government has taken pains to consult the commercial opinion and the opinion of the industrialists on this matter, I will be glad to support the motion.

**The Honourable Dr. B. R. Ambedkar :** Sir, with regard to the point raised by my Honourable friend Mr. Muhammad Nauman, I would like to say this, that this Bill is the result of the recommendations made by the conference of Inspectors of Factories all over India. It is they who have thought that the Bill has been defective in the way in which it has been found to be. All that the Government has done is to give effect to the unanimous recommendation made by the Inspectors of Factories all over India. I have no idea, and I have no papers with me to enable me to say whether the Chambers of Commerce have been consulted. But I should have thought that the Chambers of Commerce were hardly the bodies to be consulted with regard to factory legislation. But I believe employers' organisations have been consulted.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is :

> "That the Bill further to amend the Factories Act, 1934, be taken into consideration."

The motion was adopted.

**Mr. C. C. Miller** (Bengal: European): Sir, I move:

> "That in clause 2 of the Bill to the proposed part (f) of sub-section (1) the following words be added : 'for the purposes of this Act'."

Sir, I can explain this amendment very shortly. The original section 9, as the Honourable Member has already stated, gives under certain specified heads the information which the factory owner must supply to the Factory Inspector. Incidentally one really doubts whether the amending clause is necessary at all in view of section 77 of the Bill which seems to supply the gap if further information is needed. But, assuming that the Government amendment is in order, we thought that it is asking rather a lot to put in an omnibus amendment of this

nature to certain specifically defined subjects. All we ask for is that the Factory Inspector should be entitled to seek information only which is relevant to the Factory Act. I hope that the Honourable Member will accept this very modest amendment

**Mr. President** (The Honourable Sir Abdur Rahim): Amendment moved:

> "That in clause 2 of the Bill to the proposed part (f) of sub-section (1) the following words be added:
>
> 'for the purposes of this Act'."

**The Honourable Dr. B. R. Ambedkar :** I accept the amendment.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

> "That in clause 2 of the Bill to the proposed part (f) of sub-section (1) the following words be added :
>
> 'for the purposes of this Act'."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clauses 3, 4 and 5 were added to the Bill.

Clause 1 was added, to the Bill.

The Title and the Preamble were added to the Bill.

**The Honourable** Dr. B. R. Ambedkar : Sir, I mvoe:

> "That the Bill, as amended, be passed."

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

> "That the Bill, as amended, be passed."

The motion was adopted.

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# 32

## * Advisory Committee on Coal Mines Welfare Fund

The Central Government have set up an Advisory Committee to advise on matters arising out of the administration of the Coal Mines Labour Welfare Ordinance, promulgated in January last.

The Committee, when fully constituted, will consist of the Secretary, Labour Department, the Coal Commissioner, the Labour Welfare Adviser, the Chief Inspector of Mines ; one official each nominated by the Railway Board, the Bengal Government, the Bihar Government and the Central Provinces and Berar Government; two nominees of the Indian Mining Association; one nominee of the Indian Mining Federation, the Indian Colliery Owners Association and the Central Provinces and Berar Mining Association: two mining engineers and representatives of interests other than the colliery owners or workmen employed in the coal mining industry.

In addition, there will be five persons nominated by the Central Government to represent the interests of colliery labour. Four have already been appointed and the fifth will be appointed shortly. Under the ordinance, the Advisory Committee should also include a lady member and this nomination, too, is expected shortly.

The Committee, as so far constituted, include the following representatives of the Government of India : Mr. S. Lall, Secretary, Labour Department; Mr. R. S. Nimbkar, Labour Welfare Adviser ; and Mr. W. H. Kirby, Chief Inspector of Mines. The representatives of the Railway Board and of the Bengal, Bihar, and Central Provinces and Berar Governments are : Mr. A. Orr; Mr. A. Hughes, I.C.S., Labour Commissioner, Bengal; Mr. A. G. Bunn, I.C.S., Additional Deputy Commissioner, Dhanbad; and Sardar Bahadur Ishar Singh, Labour Commissioner, Central Provinces and Berar. Messrs. J. Latimer,

* Indian Information, May 15, 1944, pp. 522-23.

S. F. Tarlton, M. N. Mukerjee, R. D. Rathore and A. E. Douglas have been nominated to represent the mining industry on the Advisory Committee.

**First Meeting**

Of the four spokesmen for colliery labour, Messrs. P. Bhattasali and H. Ghosal represent organisations, affiliated to the Indian Federation of Labour and Messrs. Nirpada Mukerjee and Chapal Bhattacharya represent those affiliated to the Trade Union Congress. Messrs. S. N. Mallick and W. N. Burch are mining engineers nominated to the Committee.

The first meeting of the Advisory Committee was held at Dhanbad on April 27, the Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India, presiding.

In a short opening speech, Dr. Ambedkar recalled the Tripartite meeting held in Dhanbad in December last to consider, first, the problem of coal production and, secondly, the securing of a continuous flow of labour. He said that the suggestions made at that meeting had come to fruition. While the question of production was being dealt with separately, this meeting was convened to consider measures for the welfare of labour in coal-mines. As discussed at the last meeting, the Government of India had promulgated an Ordinance constituting a fund for the welfare of colliery labour and this Advisory Committee had been apppointcd under the terms of the Ordinance.

The Committee then discussed draft rules, placed before them, relating to the composition of the Advisory Committee and to expenditure and welfare schemes to be financed from the Fund. The rules provide that the Advisory Committee should have a secretariat, with headquarters at Dhanbad, under the executive authority of its Chairman. There will be a number of sub-committees attached to and elected by the Advisory Committee for carrying out its functions—a Finance Sub-Committee to advise generally on all expenditure debitable to the Fund, a Works Sub-Committee to consider all major projects for works and constructions the cost of which is to be met from the Fund, and a separate Coal-field Sub-Committee for each of the main coal-fields in Bengal, Bihar, the Central Provinces and Berar and Assam to advise on all matters relating to expenditure from the Fund in their respective regions. In constituting the Sub-Committees equal representation will be given to colliery owners and workers employed in the coal-mining industry.

## Administration Of Fund

The rules discussed by the Advisory Committee also provide that, within the sanctioned budget, the Advisory Committee may suggest schemes of expenditure to the Central Government for approval. These schemes will be in two parts—administrative schemes, to cover secretariat expenses and salary, etc. of the staff appointed by the Chairman, and welfare schemes which will be either of an obligatory or permissive nature.

The rules further empower the Central Government to impose certain conditions on a Provincial Government, the local authority or the owner, agent or manager of a coal-mine to whom a grant is made from the Coal-Mines Labour Welfare Fund in aid of any schemes approved by the Central Government. These conditions may be imposed to ensure that the work for which the grant is made is duly and promptly executed, that all the necessary facilities are given for any inspection that may be made for checking, and that proper accounts are maintained of the money granted.

Before making a grant from the Fund to a local authority or the executive agent or manager of a coal-mine, the Central Government will require the Party concerned to execute a bond for the fulfilment of these conditions.

The Committee also considered the extent to which the Jharia and Asansol Boards of Health and the Jharia Water Board should be utilised as the executive authority for expenditure of grants from the Fund. It was pointed out that use might be made of existing bodies in coal-fields for carrying out welfare and other schemes for which the Fund had been created. The Committee approved the suggestion put forth by the Chairman that the question whether grants should be made to local bodies or not should be decided by the Advisory Committee in each case individually. The Committee also considered expenditure needs which should be taken up at once and for which the cost should be met from the Welfare Fund. Among the items which were suggested for this purpose were : expenditure on welfare staff, expenditure on secretariat staff to be appointed and expenditure on the anti-malaria scheme at present in progress in certain coal-fields in the Central Provinces and Berar and to be sanctioned for Bengal-Bihar. The Committee also discussed the rate of cess to be levied under the Ordinance.

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# 33

## * Mica Industry to be placed on a Sound and Stable Footing

"The Government of India is prepared to do its best to put this industry on a sound and stable footing," observed the Hon'ble Dr. B. R. Ambedkar, Labour Member, addressing a Mica Conference between representatives of the Government of India, the Bihar Government, trade associations and spokesmen of mica labour, held at Kodarma (Bihar) on April 29.

The Bihar Government was represented, among others, by Mr. E. C. Ansorge, Adviser ; Mr. J. S. Wilcock, Secretary, Revenue Department; and Mr. M. Z. Khan, Deputy Commissioner, Hazaribagh district. Mr. D. L. Mazumdar, Joint Secretary, Labour Department, Dr. E. L. G. Clegg. Director, Geological Survey of India, and Mr. J. T. K. Crosfield, Supervisory Field Officer of the Geological Survey, represented the Central Government.

"The Government of India," said Dr. Ambedkar, "realised that after the war, India might not retain its monopoly in mica to the same degree as today." He indicated that, with a view to placing the industry on a stable and permanent footing, the Government proposed to set up an Inquiry Committee which would deal both with the immediate and ultimate problems of the mica industry.

The Committee's terms of reference would be ; Working of the Mica Control Order, both in regard to war production and the effect of the Order on long-term policy, and the review of any orders that may have been passed by the Government in connection with that order; the present system of marketing—both inland and abroad ; standardisation of quality ; the extent to which alternative sources of supply may have jeopardised or are likely to jeopardise the position of this country as

* Indian Information, May 15, 1944, pp. 533-35.

a principal supplier of muscovite mica and the extent to which other materials that may be used as substitutes for mica may have displaced or are likely to displace mica or its uses in industry; increased utilisation of mica in this country for the manufacture of finished goods; research and development; the desirability of setting up suitable machinery, whether by appointment of a Central Mica Committee or otherwise, to watch the interest of the mica trade and industry.

Dr. Ambedkar said the inquiry Committee would consist of a whole-time Chairman, two part-time members—one experienced in inland trade and the other in the export trade—and a wholetime Secretary. There would be seven assessors with the Committee, two representing the Government of Bihar, two representing Bihar dealers, one each representing the Madras and Rajputana mica trade, and one representing mica labour. In addition, the Committee would be assisted by two technical advisers, one of whom would be the Director of the Geological Survey of India and the other a representative of the Board of Scientific and Industrial Research.

**Labour Welfare**

Referring to the question of labour and industry, the Labour Member emphasised that if Government was to help the industry it would not allow the industry to exploit labour. It had been said that India's monopoly was based on cheap labour. If this was true it was not a matter of compliment cither to the industry or to labour. If Government was to intervene or to take measures in order to stabilise the industry, Government would expect the industry to safeguard the interests of labour.

The Labour Member observed that Government would require that labour must be assured a living wage, fair conditions of employment and general welfare, in the interest of maintaining Labour Welfare. He referred to the general policy that had been evolved to maintain labour by collecting money from industry and pointed out the welfare cess on coal as an example. The industry, he continued, must bear the cost of welfare by a special cess.

Earlier in his speech, the Labour Member, emphasising the importance of Indian's mica industry, referred to the fact that

electro-technical industries depended on mica for their existence and that mica was strategic material without which defence of the country would be impossible. World production of sheet mica in metric tons in 1913 was 17,018 of which India's production was 14,598— practically 81.7 per cent. And yet the mica industry had played next to no part in the industrial affairs of India.

He said : "We hear a great deal about the cotton, textile and jute industries but it is seldom that one comes across any reference to India's mica industry". Giving reasons for this, Dr. Ambedkar pointed out that there were two sets of causes—first, that mica produced was not consumed in India. Mica was entirely exported and the Indian people, therefore, were unconcerned. Profits were derived from the outside world and the consuming public were not interested in the mica industry. The second set of causes included the ineffective and unorganised state of the industry. He quoted figures to show that the production of sheet mica in India in metric tons had increased from 1,714 in 1905 to 14598 in 1937. Another indication of the industry's colossal growth was the fact that in the dry season the industry employed 60,000 workers in mines and factories and about 1,00,000 as home splitters. In spite of its enormous growth, he said, there was no big organisation in the mica industry comparable with the Millowners' Association or the Northern India Employers' Federation.

**Piracy**

Giving reasons for this state of affairs, he observed that persons concerned with the industry were torn by the spirit of mutual jealousy and trade rivalries. Each one was trying to build his place at the cost of others. It was a case of all competition and no co-operation. Referring to the future of the industry, the Labour Member said that the Government of India were prepared to do their best to put this industry on a sound and stable footing. The Government realised that there were two problems before the industry, one an immediate problem and the other the ultimate problem involving long-term policy. The immediate problem was the problem of mica piracy. In ordinary circumstances the Government of India would have thought that ordinary law dealing with theft and the receiving of stolen property was sufficient, but having regard to the importance of mica they were anxious to assist the industry

to the best of their ability. The Mica Control Order was in existence and, whatever its defects, it certainly provided machinery whereby the extent of piracy had been reduced. He pleaded for co-operation by those engaged in industry and assured them that the Government were ready to take steps to stop piracy.

## Proposal Welcomed

Representatives of the industry at the conference unanimously welcomed the proposal to set up an Inquiry Committee. It was suggested that the Committee might also go into the question of postwar reconstruction as regards the mica industry.

Earlier, the Conference discussed measures intended to meet the immediate needs of the industry. These included proposals regarding prohibition of the purchase, sale or transfer of certain types of mica, the vesting of District Magistrates and Provincial Governments with a certain amount of discretionary authority in granting certificates, prevention of multiplicity of licensed agents, control of the location of godowns for the storage of mica and improvements in the administrative machinery.

It was indicated that the Central Government intended to amend the Mica Control Order, 1940, to provide for these, at an early date.

In regard to the welfare of mica labour, existing arrangements for grain concessions and dearness allowance, housing conditions, water supply, medical facilities and wages were reviewed. The Labour Member inquired if there was a certain basic wage for mica labour and emphasissed the need to provide medical attention, housing facilities and water supply. It was stated that most of the workers lived in their villages. There appeared to be general agreement on the proposal to impose a welfare and development cess in the interest of mica labour. It was agreed that the Geological Survey of India should be responsible for the distribution of coal to mica mines.

## Labour Member Visits Mica Mines

On April 28, Dr. Ambedkar, accompanied by Mr. Mazumdar, Dr. Clegg, and Mr. Crossfield, visited a mica mine and a mica factory. The party went down about 400 feet by means of a ladder installed in the mines. Among various other aspects of mining, the Labour Member

saw drilling and boring operations conducted through pneumatic drills worked by lend-lease compressors which had been placed at the disposal of the industry by Government to stimulate mica production. Returning to the surface, the Labour Member visited the Labourers' hutted colony. In the middle were two saffron-coloured triangular stones placed against a tree. The Labour Member was informed that the labourers worshipped these stones as "Goddess of Mica"

In the factory at Kodarma, thousands of workers—men and women—squatted in huge dormitories, working on blocks of mica. Here the party saw various processes of mica manufacture, e.g. slating of mica, kinfe-drcssing, sick-dressing and splitting-performed with unerring judgment and skill, by hand. In one section of the factory, workers were splitting mica into thin sheets of uniform sizes, to be used ultimately as condenser films in spark plugs for aeroplanes. In another section, the Labour Member saw blocks of mica being cut into small sheets for being manufactured into micanite.

## Science Has Increased The Importance Of Mica

India is the world's leading producer of sheet mica, which is mined mainly in the Hazaribagh and Gaya districts in Bihar, and Nellore in Madras, and to a minor extent in other districts in Madras and in Tonk State and Ajmer-Merwara in Rajputana, about 80 per cent coming from Bihar and most of the remainder from Nellore. This pre-eminence in the world's markets, is due largely to the excellent quality of the so-called " Bengal ruby " mica of Bihar, but also to the great manual dexterity of the aboriginals, mainly women, who trim and split the mica with crude soft-iron sickles (or shears in Nellore). So much is this the case that in pre-war years there was an appreciable import of block mica into India, to be re exported in the form of splittings. Mica has been used in India for centuries for decorative and medicinal purposes.

The mica occurs as "books", giant crystals which have been found, exceptionally, as large as 10 feet in diameter, in great veins of pegmatite traversing mica schists. The mica, which is muscovite, occurs with felspar and quartz and other minerals such as beryl, which from Ajmer is exported as an ore of beryllium.

Most of the mica exported from India goes to the United Kingdom and the United States.

The Advance of science, instead of rendering this natural product obsolete, has increased its importance. With the employment of higher temperatures of voltages in generators, as radio and television are developed, as the number of motor-cars and aeroplanes increases, and even as the electron is brought under control, mica becomes increasingly important.

It is considered indispensable for the following appliances :

(1) commutator segments, for motors and generators ;

(2) commutator V-rings, for motors and generators ;

(3) armatures (high temperature and high voltage);

(4) aeroplane motor spark plugs ;

(5) radio tubes;

(6) transformers ; and

(7) radio condensers.

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# 34

# * Standing Labour Committee Discusses Recognition of Trade Unions

Proposals to secure compulsory recognition of Trade Unions and the appointment and constitution of boards of recognition, as embodied in the Indian Trade Unions (Amendment) Bill, 1943, were discussed at the fifth meeting of the Standing Labour Committee held in New Delhi on June 27. The Hon'ble Dr. B. R. Ambedkar, Labour member, Government of India, presided.

The employers' and the workers' representatives explained their views on the criterion for judging the representativeness of a trade union.

While the employers' representatives generally favoured the idea of bringing together employers and workers, they seemed to be of the opinion that this co-operation should be on a voluntary and non-legal basis. It was stated that with the healthy growth of trade unions, there would be no difficulty as regards recognition. The workers' representatives favoured the idea of compulsory recognition and at the same time pleaded that the scope of the amending bill should be widened to confer more rights and privileges on trade unions.

## Statistics of Trade Disputes

The Committee then discussed a proposal to improve the existing statistics of trade disputes in order to have uniformity in the method of compilation and to improve their utility for purposes of comparison as between provinces in India and with other countries. It was suggested that the machinery provided by the Industrial Statistics Act of 1942 empowering the Provincial Governments to secure statistics should be utilised. This procedure would be, moreover, on the lines of the system

* Indian Information, July 15, 1944, pp. 53 & 57.

adopted by the International Labour Organisation. There was general approval of the proposal.

The Committee, however, discussed the alternatives of serving notices on all employers irrespective of the number of their employees or only on those employing 10 or more workers. Draft rules and forms for the collection of statistics under the proposed procedure were circulated to the members of the Committee.

**Visit To Cloth Mills**

After the meeting, Dr. B. R. Ambedkar and the members of the Standing Labour Committee, on the invitation of Sir Shri Ram, visited the Delhi Cloth Mills, where they saw various manufacturing processes as well as the labour welfare work undertaken by the management. Sir Shri Ram accompanied the party to the workers' quarters and explained the sanitary arrangements and facilities as regards water for drinking and bathing. The Workers' Colony has a school, a dispensary and a library, equipped with a radio set which was tuned in to a film song radiating from A.I.R., Delhi.

The party also saw a swimming pool varying in depth to suit the novice as well as the expert swimmer. At the workers' sports club a *kabbadi* match was in progress. Nearby was a workers' theatre where, it was stated, historical and other plays, all acted by the workers were staged occasionally.

The following delegates and advisers representing the Central and Provincial Governments, Indian States, All-India Organisation of Industrial Employers, Employers Federation of India, All-India Trade Union Congress, Indian Federation of Labour, and other employers and workers attended the meeting :

The Hon'ble Mr. H. C. Prior, Secretary, Department of Labour, and Mr. S. Lall, Joint Secretary (Central Government); Sardar Bahadur Isher Singh, Labour Commissioner, Nagpur and Mr. C. K. Vijayaraghavan, I.C.S., Labour Commissioner, Madras (Madras and Central Provinces and Berar); Mr. S. V. Joshi, Labour Commissioner, and Mr. V. P. Keni, Assistant Labour Commissioner (Bombay); Mr. A. Hughes, I.C.S., Labour Commissioner Bengal; Mr. J. E. Pedley, I.C.S., Labour commissioner (United Provinces); Mr. M. H. Mahmood, Director of Industries, Punjab, and Mr. P. K. Kaul, I.C.S.,

Secretary to Government, Electricity and Industries Department, Punjab (Punjab, Sind and N.W.F.P.); Mr. A. S. Ramchandran Pillai, Labour Commissioner, Assam, and the Director of Development and Chief Inspector of factories, Orissa (Assam and Orissa); Mr. K. S. Srikantan, Director of Industries, Indore, Mr. B. S. Desai, Assistant Director of Labour, Baroda and Mr. N. D. Gupta, Labour Officer, Gwalior (Baroda, Indore and Gwalior States); Mr. E. I. Chacko, Director of Industries and Labour Commissioner, Travancore, and Mr. M. A. Mirza, State Labour Officer, Hyderabad, Deccan (Mysore and Travancore States); Mir Maqbool Mahmood (Chamber of Princes); Sir Shri Ram, Mr. Kasturbhai Lalbhai and Mr. D. G. Mulherkar, Secretary, All-India Organisation of Industrial Employers (All-India Organisation of Industrial Employers); Mr. H. S. Town, Mr. C. C. Miller, M.L.A., Mr. J. Latimer and Mr. T. S. Swaminathan, Secretary, Employers' Federation of India (Employers' Federation of India); Mr. S. S. Mirajkar, Mr. V. Chakkarai Chettiar, Mr. Kazi Mujtaba and Mr. V. G. Balwaik (All-India Trade Union Congress); Prof. B. N. Banerji, Mr. Jamnadas M. Mehta, Mr. Abdul Sattar and Mr. V. G. Karnick (Indian Federation of Labour); Rai Bahadur Shyam Nandan Sahaya (other Employers); Mr. S. C. Joshi, M.L.C., and Mr. P. T. Dewara (other workers).

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# 35

# * Post-War Employment of Skilled Workers

"No plan for the future development of the country can be deemed to be complete which does not provide for technical and scientific training. This is the age of Machine and it is only those countries in which technical and scientific training has risen to the highest pitch that will survive in the struggle that will commence when the war is over, for maintaining decent standards of living for their people. The Government of India is not oblivious to these considerations and would like to see the Technical Training Scheme not only maintained but extended all over the country and become a permanent part of the country's educational system." Thus observed the Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India, addressing the Technical Training Scheme Advisory Committee in Calcutta on August 24.

The committee, which was appointed by the Central Government to consider the adjustment of the Technical Training Scheme to the needs of civil industry, consists of representatives of engineering associations, the All-India Organisation of Industrial Employers, the Employers' Federation of India, the Bengal Chamber of Commerce, the Supply Department, the Railway Board and the Institute of Engineering. The meeting lasted three days.

## Labour Member's Speech

Here is the full text of the Labour member's speech :

Gentlemen : In welcoming you here, today, I should like to express to each one of you my appreciation and thanks for the trouble you have taken to attend this meeting. In these days, we are all so fully preoccupied with our normal duties, that any additon to them must involve

* Indian Information, September 15, 1944, pp. 274-77.

a heavy strain. I am all the more grateful to you for undertaking this task of helping Government to re-mould their Technical Training Scheme to meet the changing needs of the country.

I need hardly say how great is the importance I attach to the work of this Committee. The fact that, notwithstanding a last moment hitch, I decided to come down to Calcutta to meet you and to wish you good luck and full success in your labours, is evidence—if there is need for any—of the sincerity of what I am saying.

You have assembled here today to consider the future of our Technical Training Scheme, which was introduced as an emergency measure to cater to the technical needs of the Army and has resulted in providing India with semi-skilled man-power to an extent unheard of before.

Just to give you an idea of the magnitude of the work done in the field of technical training, I might refer briefly to the history of the Technical Training Scheme from its early stages. It was started 3½ Years ago to overcome one serious obstacle—the lack of technical personnel for the requirements of the Army. We started with a target for training about 3,000 men at a lime, but within two years we had to raise this figure to 48,000 which required setting up 394 training centres. By the end of 1942, we had already supplied 54,000 trained personnel to the Army. By June, 1944, we had turned out 75,000 trainees of whom 63,000 joined the technical branches of the Defence Services and 3,000 went to the ordnance factories. I am sure you will agree that this is no mean achievement having regard to the period within which it has been accomplished.

As I said this Technical Training Scheme was started to meet the needs of the Army which had arisen out of the war. The war, as everybody can see, is coming to a close, and the demand for technical training which came for the Army will abate.

In view of the situation that will arise at the end of the war there are two questions that arise for consideration. The first is : What are we to do for those who have already been trained, and who have been serving the Army, but who will soon be discharged from the Army and would be waiting for employment ? The second question is : What are we going to do with this Technical Training Scheme ?

Some people have formed the conclusion that Government have decided to liquidate the Technical Training Scheme. This is altogether untrue. It is true that Government has closed some of the training centres. We have now 170 training centres with a capacity to train about 32,000 trainees, in place of 400 training centres with a capacity to train 45,000 trainees which we had in 1942. This is due to various causes, foremost among which are two. One is the decreased intake of the Army. The other is the heavy cost of maintaining small centres.

## Government's Intention

These steps only show that what Government has done is to make necessary adjustments called for by the exigencies of the situation. They do not indicate any intention on the part of the Government to liquidate the Technical Training Scheme. If such was the intention of the Government, the Government need not have constituted this Committee. No plan for the future development of the country can be deemed to be complete which docs not provide for technical and scientific training. This is the age of Machine and it is only those countries in which technical and scientific training has risen to the highest pitch that will survive in the struggle that will commence when the war is over, for maintaining decent standards of living for their people. The Government of India is not oblivious to these considerations and would like to sec the Technical Training Scheme not only maintained but extended all over the country and become a permanent part of the country's educational system.

## Industry Should Absorb Trainees

While this is the objective of the Government, the success of the Scheme must depend upon the possibilities of the trainees getting employment. If the trainees, after they are trained, fail to get employment, then the Technical Training Scheme is doomed to failure. The answer to this question must entirely depend upon the attitude of the Industry to the trainees coming out from the training centres. The whole fate of the Scheme depends upon it. If the Industry refuses to employ the trainees it is obvious that nobody is going to bother about technical training, and the training centres will have to be closed down. This unfortunate consequence can be averted only if civil industries were to show eagerness to absorb our trainees.

Out of the 6,000 surplus trainees, civil industry has only taken 3,000. Indeed, they prefer to employ untrained workmen in the expectation that they will acquire the necessary skill and training in the course of employment or as apprentices. This reluctance to employ the trainees from our technical training centres may be due to various causes. I have heard of complaints that our training is inadequate. Civil industry insists on their technical personnel possessing a higher degree of skill than can be provided by our Scheme, in which we attempted—no doubt under the pressure of war—to give technical training in 8 months which before the war took 5 years.

I am, however, satisfied that it is not at all necessary that a training scheme should run the full length of a five-year course in order to satisfy the requirements of civil industry. Experience gained by wartime technical training schemes in other countries shows that with intensive training semi-skilled men can be quickly trained for most industries.

**Industry's Responsibility**

If, therefore, the training imparted under the Technical Training Scheme is supplemented by further 'biased' training, the final product should be acceptable to civil industry. I am, however, prepared to admit that there are faults in our Training Scheme. I am also prepared to accept any reasonable changes that may be suggested to make our trainees passable to Industry. But unless Industry agrees to absorb our trainees, there is no hope of a technical training scheme being made a success in this country. Industry therefore should note that a very heavy responsibility lies on its shoulders.

You, gentlemen, know the needs of industry better than I do. All I can say is, that if the Scheme is to succeed it must have the cooperation of employers and workers in determining its future. We have no time to lose or else we may find that we have only won the war, but done nothing for the peace.

As I have already said we have two questions to deal with : (1) To find employment for trainees who will be discharged from the Army after the war is over and for trainees who are completing the prescribed courses of training, (2) To revise the scheme for technical training as a part of the Post-War Plan of Industrial Reconstruction. These are two distinct questions and we propose to tackle them separately. That is

why we have thought it desirable to proceed by two stages. Relevant to the second stage is the question : What changes can be made in our Technical Training Scheme to make it serve fully and completely the present-day needs of civil industry. It involves the consideration of the long-term policy, of providing trained technical personnel for the postwar industrial development of the country.

**Employment of Skilled Workers**

On the other hand the problem we have to consider as relevant to the first stage is to find ways and means for the rehabilitation of the thousands of our skilled workers, turned out by our training centres, now serving in the Army but who will be soon thrown out of employment at the close of the war. Our expectation is that Industry should not find it difficult to take over these men, especially, as we hope that there will be a post-war expansion of civil industry and a consequent increase in the demand for men technically trained.

The immediate problem before us is : How to fit them to our peacetime industrial structure, we want to examine the difficulties connected with it and to plan to meet them well in advance. To accomplish success in this we have to see what further training and what additions and modifications in our training syllabuses, or introduction of subsidiary courses are necessary in order to make our trainees more acceptable to existing industries. The results of your deliberations will determine what future progress we can make in the next stage. The two stages are closely connected and the second is no less important than the first.

I do not wish to take more of your time as I know you have a heavy agenda. But before I close I should like to say how important it is that we should have an adequate supply of skilled personnel if we are to plan a brighter future for our country. It is only by tripartite cooperation between Government, employers and workers that we can hope to develop a technical training scheme on sound lines. I would here make a special appeal to employers and industrialists. Their specialised knowledge and experience is invaluable but no less is their future co-operation in maintaining any technical training scheme that may be set up by Government.

One word more and I will close. Is unemployment to be the fate of the trainees who have gone to the Army and who will before long be returning to civil life ? Is that to be reward of the services they have rendered and the risks they have taken ? I am sure we shall not fail them. If we neglect them, they will constitute a powerful centre of discontent in industry. Suitably accommodated in civil life after the war, they will help to give stability to industry. They will bring to civil industry the sense of discipline which they have acquired in the Army. It is for you to say what measures Government must take to re-condition them for civil employment. I can assure you Government will not only be grateful to you for your advice but will do its best to give effect to such measures as may be found reasonable and practicable.

**Committee's Discussions**

Later the Committee discussed *various* problems relating to technical training and emphasised the importance of improving educational standards of technical trainees. Mr. S. Lall, Joint Secretary, Labour Department, presided.

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***Visit To Employment Exchange**

Dr. B. R. Ambedkar, who arrived in Calcutta on August 23, inspected the Calcutta Employment Exchange, accompanied by Mr. S. Lall, Joint Secretary to the Government of India, Department of Labour, and formerly Deputy High Commissioner for india in London.

The Labour Member discussed various matters relating to the operation of the Employment Exchange Scheme in Calcutta and the working of the National Service (Technical Personnel) Ordinance with Mr. A. Hughes, Labour Commissioner with the Government of Bengal. There was also a discussion on Government of India's policy to close down technical training centres as far as it affected Bengal.

Dr. Ambedkar saw a large number of workmen who had come to the Exchange for registration. Mr. Hughes and Mr. Bennett (Manager of the Exchange) explained the process of registration and the card index system.

*Indian Information, September 15, 1944, p. 278.

## Rise In Employment Figures

The Labour member noted that there was a progressive rise in the figures of men registered *for and placed* in employment through the Exchange. He was informed that according to the latest available figures 1,029 ex-trainees of the Technical Training Scheme had been registered at the Employment Exchange and out of this number 388 were placed in employment. The total number of technical personnel registered at the Exchange from January, 1944, to July 31, 1944, was 2,264 and the number of those placed in employment in the same period was 537.

Dr. Ambedkar and party were also shown a chart giving up-to-date information about the progress of Technical Training Scheme in Bengal. He was informed that there were 24 centres with a training capacity of 4,164 in addition to 15 civil centres with a training capacity of 2,270. Seventeen of these centres were technical institutes and two belonged to industrial undertakings. Up to July 31, 1944, 2,540 trainees who had passed out of these training centres were posted to civil industry. The Labour Member also visited the Government of India press and the central stationery office.

Later in the day he addressed members of the trade Union Advisory Committee set up by the Government of Bengal and discussed the working of orders recently issued by the National Service Labour Tribunal.

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## * Plenary Session of Tripartite Labour Conference

### *Dr. B. R. Ambedkar's Address*

Presiding over the sixth plenary session of the Tripartite Labour Conference which began in New Delhi on October 27, the Hon'ble Dr. B. R. Ambedkar, Labour member, Government of India, suggested changes in the constitution of the Conference to remove organisational weaknesses discovered during its two years' existence.

He suggested that the subjects coming within the purview of the Conference should be divided into two lists : List 1 to contain all general subjects, such as terms and conditions of employment, labour legislation and questions relating to social security, and List 2 to include all concrete questions relating to labour welfare and administration of labour laws.

Here is the full text of Dr. Ambedkar's speech :

"It would be a very easy and very pleasant task indeed for a Chairman if his opening address was to be nothing more than a word of welcome and a word of gratitude to the delegates assembled. Convention requires that a Chairman must say something more than that. For a Chairman of a Labour Conference such as ours, it is not an easy matter to select his theme. This is not a Conference of philosophers. He cannot therefore play the part of the pedant and get over without committing himself to anything by indulging in intellectual acrobatics which have no social import. This is not a Conference for the reconstruction of society, and the Chairman cannot fill his opening address with a disquisition on capitalism, socialism, communism and other ideologies.

"This Conference is not a meeting of an ethical society, and the Chairman cannot choke it up with appeals to righteousness to stir up

* Indian Information, November 15, 1944, pp. 590-97.

emotions. I do not know what is the best pattern for an opening address by a Chairman to the Labour Conference. For the purposes of this session I propose to get over the difficulty by using this opportunity of addressing you on matters of practical importance. I feel sure that you will not regard it as inappropriate.

"There were two matters in particular which I wanted to cover which must be of interest to members of the Conference. Firstly, to give you a survey of the action taken by the Government on various questions which have been discussed by the Conference and the Standing Labour Committee and secondly, to refer to the defects in the constitution and procedure of the Tripartite Organisation.

"The first subject proved too large for this address. It would have taken a good lot of your time which having regard to your Agenda, you could ill-afford to give. I therefore thought of presenting you a separate Memorandum (Printed with this speech) on the subject. You are already in possession of that memorandum. It may be taken as part of my address.

**Tripartite Organisation**

"There remains the other subject for me to deal with, namely, the question regarding the organisation and procedure of this Conference. We have had two years' experience of the working of the Plenary Conference and the Standing Labour Committee. That experience cannot be called long. But short as it is, it has revealed some weaknesses in the organisation we have set up. The following appear to me rather serious :—

(1) There is no clear cut division of functions between the Conference and the Standing Labour Committee. It is not that one is a deliberative body and the other is an executive body. Both are deliberative.

(2) There is overlaping in the work they do. The subjects discussed by both are of the same nature.

(3) There being no clear cut distinction between general questions and concrete problems, the discussions in the Conference as well as in the Committee become too general to be of much use, even concrete problems are treated as though they were general.

(4) There is no machinery to undertake the task of examining special problems and reporting upon them. It is an important function and there must be some machinery charged with such a function.

(5) There is no machinery to study and advise on problems of labour welfare, industry by industry.

**Separate Secretariat**

"A second weakness in the organisation has also been pointed out by some members of the Conference. It relates to the non-existence of a separate Secretariat for the Labour Conference. It is suggested that there should be a separate Secretariat to take over the following functions namely:—

(a) Preparation for meetings (i.e., circulation of papers, informing members of the dates fixed, agenda, etc.);

(b) Preparation of records of the proceedings ;

(c) Propaganda by issue of leaflets and tours ;

(d) Financial administration such as payment to staff and T.A. bills of non-Government members attending the Conference ;

(e) Research and collection of information to serve as a basis of discussion and recommendation ; and

(f) Check-up of the action taken by Government.

"There are two other matters which have given ground for complaint. One of these relates to the preparation of the Agenda of the Labour Conference and the Standing Labour Committee. The existing procedure in the matter of the Agenda is said to be defective in two respects. First, members of the Conference and the Committee are not entitled to have matters in which they are interested placed on the Agenda at their will. The second defect is that the memoranda which accompany the Agenda reach members so late that they have no time to study and be prepared to make their contribution to the discussion of the subject.

"Another matter which has given rise to complaint relates to the representation of the different parties on the Conference and on the Standing Labour Committee. The employers have stated that it is objectionable on the part of Government to reserve three seats for employers to be nominated by Government. It is their contention that

the Employers' Federation of India and the All-India Organisation of Industrial Employers are fully representative of the employer class in India and that therefore the provision for appointing more employers' representatives by nomination is unnecessary. The method of representation of labour is also said to suffer from one defect, namely, that among those who represent labour there is none who belongs actually to the labouring classes.

"You would naturally want me to tell you what action Government is prepared to take in this connection. I am anxious on my part to do whatever is possible to see that the Labour Conference functions properly and does not suffer in its working by reason of any serious fault in its mechanism. You will, however, realise that these are matters which require exploration and examination before any definite conclusion can be arrived at. Of these weaknesses some have been examined by Government and decisions have been arrived at. There are some which have not been examined as yet. I will first refer to those about which Government have after consideration come to a decision. They include the question of separate Secretariat, Agenda and Representation.

**Only An Advisory Body**

"The demand for a separate Secretariat for the Labour Conference is, I think, based on the analogy of the I.L.O. Government think that there is a fundamental difference between the I.L.O. and our Tripartite Organisation. It lies in the fact that the I.L.O. is an idependent organisation created by the Peace Treaty of Versailles. Its conventions and recommendations place definite obligations on all State-Members and failure to fulfill those obligations involves certain definite international liabilities. It is regulated by its own constitution and if is not subject to any outside authority. In addition to this the I.L.O. has its own finances and is not dependent upon any other state or Department for meeting its liabilities when it chooses to undertake any new function.

"Our Tripartite Organisation is not independent in the same sense as the I.L.O. is. It has no independent finances and it cannot have any. It is only an advisory body which is constituted to advise the Government of India on such matters as are referred to it for advice. It cannot take decision. To allow it to do so would be to permit it to

usurp the functions of the Legislature. Having regard to these differences, it is obvious that an independent Secretariat for the Labour Conference will create friction between Government and the Conference.

"It is true that the efficiency of the I.L.O. is derived largely from its Secretariat and its capacity to turn out good material. Nonetheless the Government of India feel that all the functions of that Secretariat with the exception of "Research and Information" are such as can be discharged efficiently by the Labour Secretariat of the Government of India. As regards 'Research and Information" the Labour Department have certain proposals under consideration for reorganizing its activities which *inter alia* will set up necessary machinery for research and collection of information on labour and allied questions. For those reasons the Government of India do not at present favour the idea of a separate Secretariat for the Tripartite Organisation.

**Right To Fix Agenda**

"On the question of the Agenda, Government have considered the matter. The decision of the Government is that they cannot surrender the right to fix the Agenda of the Conference. The Conference is not a Legislature. It is an advisory body and Government must determine what are the matters on which they need advice.

"There is another reason why Government cannot surrender the right to frame the Agenda for the Conference. It is not possible for Government to accept an obligation to place a subject on the Agenda unless Government are in a position to furnish the Conference factual statements which would help and guide members in their deliberations and have had time to examine the matter sufficiently enough to be able to express their own view. It is not possible for Government to be ready with such statements without sufficient notice. But, subject to their right to frame the Agenda, Government are prepared to revise the procedure.

"According to present procedure the Labour Department invites suggestions from Governments, and Employers and Workers Associations after the conclusion of a meeting from which items are selected for an Agenda for the next meeting. There is no consultation between Government and the Conference or Committee before a decision is

taken by Government in selecting items for the Agenda. Under the revised procedure Government will be ready to receive suggestions for the Agenda whenever Government, and Employers and Workers Associations may desire to send them in. In case they fail, Government will invite suggestions from delegates at each meeting.

"The other change which Government are prepared to make is that while the final decision will be that of the Government, all suggestions received for the framing of the Agenda will be placed for discussion at each meeting. This will give Government the opportunity to consult the wishes of the members and the members will have the opportunity to express their preference. I am sure you will agree that this is a great improvement on the present position.

"On the question of the composition of the Conference I admit that there is much force in the suggestions which have been made. If the two employers' organisations are fully representative, as they claim to be, obviously there is no justification for nominating employers. In the same way, it is necessary to see that the working classes should have not only their problems of employment and welfare considered but that they should be trained to do their things for themselves. This can be done by allowing working men and working women to participate in all Labour Conferences. You must have been aware of the fact that recently when the Coalmines Welfare Committee was organised Government took the step of appointing one working man and one working woman in the coalmines to represent the working classes on the Committee.

**Constitution : Some Suggestions**

"Government are therefore not averse to making appropriate changes in the composition of the Conference. At the same time, Government feel that matters relating to changes in the composition of the Conference are not very urgent and we could well afford to postpone their consideration for a while. As I said in the course of the first Tripartite Conference, we must not keep on pulling out the plant every now and then to see whether it has taken any roots. This is a way to kill the plant.

"I will now turn to the weaknesses in the constitution of the Conference. This is a weakness which Government admit is a serious

one and must be remedied. But Government had not arrived at any conclusion. Government would welcome any suggestions that you may like to make. May I place before you my views on the matter ? I would suggest the following changes in the constitution:

(1) To divide the subjects which come within the scope of the conference into two lists. List I will contain all general subjects such as (a) terms and conditions of employment; (b) Labour Legislation; and (c) questions relating to social security. List II will include all concrete questions (a) relating to labour welfare and (b) relating to the administration of labour laws. Subjects in List I will be assigned to the Plenary Conference, which I would propose should be called by the simple name Labour Conference dropping the words 'Plenary and Tripartite' which has made the name too mouthful.

(2) To create a new body to be called Labour Welfare Committee and assign to it subjects following in List II.

(3) The composition of the Labour Welfare committee will be as follows : (a) members elected by the Standing Labour Committees ; (b) one representative of the Employer and one representative of the employees drawn from organised industries and municipal and other bodies employing labour; (c) persons nominated by Government from non-officials; (d) persons representing Indian States; and (e) representatives of Provincial Governments.

(4) There will be no change in the Standing Labour Committee so far as its composition is concerned. Only there will be a change in its function. It will not be a deliberative body. It will be the agent of the Conference and will perform such of the duties assigned to it by the Conference from time to time.

"Under this arrangement there will be three organs : the Conference, the Standing Committee and the Welfare Committee.

"The functions and powers of the Conference will be as follows :

(1) To make recommendations to Government on matters relating to terms and conditions of employment and all questions of social security which might be placed on the Agenda.

(2) To refer any such matter or any part of such matter to the Standing Labour Committee with a direction : (a) to make a report back to the Conference, or (b) make a recommendation to the Government.

(3) To appoint an *ad hoc* committee to consider any matter on the Agenda with a director to report: (a) to the Conference : (b) to the Standing Labour Committee with a view to making recommendation to Government and making a further report to the Conference.

The functions and powers of the Standing Labour Committee will be such as may be Conferred upon it by the Conference. It will be an agency of the conference and will derive its authority from the Conference and will, with the exception mentioned below, conduct no business other than that which has been delegated to it by the Conference. It will, however, be open to Government to refer a matter on which they want an early opinion direct to the Standing Labour Committee for report either to the Conference or the Government. But ordinarily any report or recommendation of the Standing Labour Committee should be made to the Conference.

"The powers of the Standing Labour Committee will be :

(i) to make recommendations or reports to the Conference on matters referred to it by the Conference ;

(ii) to make recommendations to Government in a case in which the Conference has directed the Standing Labour Committee to report to Government; and

(iii) to appoint *ad hoc* Committee to consider any matter on the Agenda with directions to report to the Standing Labour Committee.

**Labour Welfare Committee**

"The functions of the Labour Welfare Committee will be confined to matters relating to Labour Welfare and administration of Labour Legislation. Its powers will be to consider all such matters placed before it and to make recommendations to Government.

"These are my proposals for removing the organisational weaknesses that have been discovered. They are put before you in my personal capacity as a Member of this Conference. No greater weight attaches to them though the approach, I may say so, seems to me to

be sound, I propose to have these proposals examined departmentally in the Government of India. If they are found to be workable the conclusions of Government will be placed before you for your deliberation. This organisational grievance I regard as a very serious matter and I promise to treat it as a matter of urgency.

"I have said all that need be said on matters relating to the Conference, reconstituting the various bodies which form parts of it, recasting its procedure and reforming its personnel. I hope you will agree that Government are keen on improving its efficiency and enhancing its utility.

**Labour Legislation**

"There are two other matters to which I would like to make a reference. The Legislative Programme of the Labour Department for the coming session of the Assembly comprises three Bills : Factories Amendment Bill, otherwise known as Bill for Holidays with Pay : Trade Unions Amendment Act which seeks to provide for the recognition of Trade Unions ; and Payment of Wages Amendment Bill. The first two have been considered by the Conference. The third Bill is a new bill and is, according to our procedure, laid before you for discussion.

"As you are aware the 26th Session of the International Labour Conference was held at Philadelphia in U.S.A. in April last. There was an Indian Delegation which attended the session. It was led by Sir Samuel Runganadhan, High Commissioner for India in London. The Government of India were represented by the Hon'ble Mr. H. C. Prior, C.S.I., CLE., I.C.S., Secretary to the Labour Department, Mr. D. G. Mulherkar represented the Employers and Messrs. Jamnadas Mehta, M.L.A., Mr. Aftab Ali and Mr. R. R. Bhole represented the Employees. You will, I am sure, join with me in recognizing publicly the splendid part that they played and the great work they did at the Conference. The delegation has made a report which is placed before you. I am sure you will find it both interesting and instructive.

"There is nothing that I can usefully add. I will therefore conclude with thanks for your having given me a patient hearing. Let us begin the work which is awaiting us."

## Dr. Ambedkar's Memorandum

An indication of the action taken by the Central Government subsequent to the discussions at the Tripartite Labour Conference and its Standing Labour Committee is given by Dr. Ambedkar, in the *Memorandum* placed before the Labour conference. Among the subjects covered by the Memorandum are : Settlement of trade disputes, Labour welfare, Food supplies to industrial labour, Fair wage clause in Government contracts, Labour Officers in industrial undertakings, Employment exchanges, Industrial statistics, Involuntary unemployment, Labour representation, Social Security, dearness Allowance and Industrial canteens.

The consensus of opinion at the third meeting of the Standing Labour committee in May, 1943, was that the Government of India should proceed with the establishment of employment exchanges. A proposal to prohibit advertising for technical personnel was also put forward by the Central Government and was generally approved. Both these proposals have been given effect to. Exchanges have been opened at a number of centres to provide employment to technical personnel.

General opinion at this meeting was also in favour of (1) a certain degree of continuity being maintained in the adjudication machinery, and (2) the whole policy regarding trade disputes being laid down *de novo* and a new Act being enacted in place of the existing Trade Disputes Act, 1929, encouraging internal conciliation. While proposals for fresh legislation are under consideration the Central Government have brought item (1) to the notice of the Provincial Governments who have, as far as possible, maintained continuity. Government have under consideration proposals for fresh legislation on the question of trade disputes.

### Bevin Training Scheme

Another question which arose out of this meeting was that organised labour should be associated with National Service Labour Tribunals for selecting Bevin trainees and that Tribunals should consult prominent trade Unions in their area at the time of selection of candidates. This method of selection is under consideration for selecting trainees. On the labour welfare side the committee's

suggestion that the Welfare Fund should be built up for housing, education, etc., is under Government's consideration, but, the Memorandum says, there are great difficulties in divising any practical scheme.

At the second meeting of the Standing Labour Committee in January, 1943, a resolution was adopted recommending distribution of food supplies to industrial labour through employers' grain shops, associations of approved and recognised trade unions or other representatives of employees in the working of such shops, encouragement of cooperative grain shops to industrial labour, etc., etc. These recommendations are brought to the notice of the appropriate authorities. With the introduction of rationing in large cities and towns and its gradual extension to smaller towns, the measures recommended are now out of date. But the rationing authorities use the agency of the employers' grain shops as much as possible.

**Fair Wage Clause**

The Memoradum further refers to a fair measure of agreement reached at the third Standing Labour Committee meeting in May, 1943, on the provisions of fair wage clause in Government contracts. It is stated that the Central Government have already "a fair wage" clause in the Central P.W.D. contracts.

In their own undertakings, the Central Government are giving effect to the recommendation that labour officers should be appointed as far as possible for all large industrial undertakings. Provincial and State Governments and private employers have also been requested to do so and, according to a report received from the Indian Mining Association, they have appointed personnel officers.

The Committee's suggestion that matters under dispute should be specified in the order referring dispute to adjudication, and the defence of India Rule 81 (a) has been amended accordingly. The attention of the Provincial Governments has been drawn to the desirability of making a provision in the adjudication order that workers whose conduct is under investigation or who are immediately connected with the dispute shall not be discharged by the employer except for misconduct unconnected with the dispute or with the approval of the adjudicator or other prescribed authority. The question of collecting

statistics of wages and earnings and hours of work for selected industries on an all-India basis is under active consideration.

**Involuntary Unemployment**

The fifth Labour Conference at its session in September, 1943, unanimously agreed that some kind of relief was necessary for cases of involuntary unemployment of workers due to shortage of coal, raw materials, etc. The Central Government have issued a circular letter to Provincial Governments advocating the adoption of principles set out therein, for grant of relief, and this letter has also been brought to the notice of the States concerned. At this session Labour had put in a strong plea for adequate representation in legislatures, local bodies and statutory committees, etc. The matter is under consideration and the Memorandum points out that labour is represented on "Central" official committees such as the Reconstruction Policy Committees, Central Health Survey and Development Committee and Central Food Advisory Committee.

**Wages And Earnings**

This session adopted a resolution for the setting up of a machinery to investigate the question of wages and earnings, employment and housing and social conditions generally with a view to providing adequate materials on which to plan a policy of social security for labour. In pursuance of this resolution a Labour Investigation Committee has been constituted and its report is expected to be received by the middle of 1945.

The Memorandum points out that Provincial Governments and States, and employers and workers associations were consulted about introduction of standing orders in industrial concerns employing 250 or more persons, and that there was general opposition to take statutory powers under the Defence of India Rules. It is proposed to enact permanent legislation on the subject at an early date. In the meantime the two all-India bodies of employers have been requested to frame standing orders forthwith without waiting for legislation to be completed. A memorandum designed to be of assistance to the employer in framing the Standing Orders has also been circulated.

The discussions of Statutory Wage Control at the fourth Standing Labour Committee meeting resulted in a fair measure of agreement regarding the form of machinery for the regulation of wages. The question as to what industries may be covered by legislation was on the Agenda of the present session of labour conference.

## Industrial Canteens

Committees have been set up in four Provinces, i.e., Bombay, the United Provinces, Bengal and Bihar, to investigate the question of standardisation of definitions of trades and the recommendations of these committees are awaited. As suggested at this meeting representatives of labour are associated with the Central Exchange through the Employment Committees constituted for advising National Service Labour Tribunals in regard to the administration of Employment Exchanges.

The Memorandum further refers to the steps taken by the central Government to encourage workers' canteens in industrial concerns. They have sanctioned rent-free accommodation and free furniture and cooking utensils in canteens run by Government or by the workers or by both jointly and, under certain conditions, even in the canteens run by contractors. Supply of rationed foodstuffs to canteens outside the rations has also been sanctioned.

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# 37

## * The Factories (Second Amendment) Bill @ Holidays with Pay for Factory Workers

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move:

> "That the bill further to amend the Factories Act, 1934, (Second Amendment) be referred to a select Committee consisting of Nawab siddique Ali Khan, Khan Bahadur Shaikh Fazl-i-Haq Piracha, Mr. R. R. Gupta, Mr. A. C. Inskip, Sir Vithal N. Chandavarkar, Rao Bahadur, N. Siva Raj, Mr. N. M. Joshi, Mr. D. S. Joshi and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The provisions of the Bill fall into two parts and I think it will be desirable from the point of view of simplicity in the matter of presentation if I explained to the House the provisions of the Bill in two separate forms.

Part I of the Bill deals with compensatory holidays for the loss of compulsory holidays. Members will realise that in section 35 of the Factories Act it is obligatory upon the owner or manager of the factory to give one compulsory holiday to every adult worker in the factory. This provision which is contained in section 35 is subject to the provisions contained in sections 43 and 44. Section 43 and 44 provide that the Inspector of factories may permit exemptions being granted to the manager of the factory or factory owner from the obligations imposed by section 35. The view that is taken is this that when such exemptions should be granted, they ought to be compensated by other holidays, equivalent in number. Health and efficiency of the worker requires that he should have the requisite number of holidays which are prescribed by law. The Act, as it stands, makes no such provisions for compensatory holidays. Consequently, clause 2 of the Bill has been introduced for the purpose of removing this lacuna. It will now be open for the Provincial Governments to make rules subject to certain

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*Legislative Assembly Debates (Central), Vol. IV, 1st Nov. 1944, pp. 89-91.

@ Titles for paragraphs are taken from the Indian Information, 15th November 1944, pp. 600-01.

adjustments that wherever exemptions have been granted under section 35, compensatory holidays of the equivalent amount shall be granted to the workmen. This is the first part of the provisions of the Bill.

## Labour Convention

Coming to the second part of the Bill, the provisions contained therein deal with the question of holidays with pay. It might be desirable at the outset to state to the House the origin of this part of the Bill. Many members of the House will recall that in 1936 the International Labour Conference passed a convention relating to the holidays with pay. The Government of India, which was represented at that International Labour Conference, was not prepared to accept the convention and to ratify it. A Government Resolution was moved in the Assembly on the 26th July, 1937, proposing the non-acceptance of the convention. The Resolution was carried. But while the Government did not find itself in a position to ratify the convention, the Member in charge of the Resolution said that the government would explore and examine the possibilities of giving effect to the convention, if not wholly, at any rate, in part and undertook to have consultation with the Provincial Governments and all the Associations representing the employers and employees to find out to what extent there was a general agreement in the matter of this convention. Part II of the provisions which relate to holidays with pay are the result of this examination and exchange of views which have been going on over a considerable number of years.

## Perennial Factories

Turning to the Bill itself, it will be seen that the Bill applies to factories and it applies not to all the factories, but to perennial factories only. The Bill undoubtedly is limited in its scope as compared to the provisions contained in the convention which was adopted in 1936. With regard to the other provisions, I think it will be better if I divide my observations in four parts so as to cover separately the four points which legislation concerning holidays with pay must necessarily deal with.

1. Length of holiday. 2. Qualifying conditions for a right to a holiday. 3. Limiting conditions. 4. Pay during holiday. With regard to the first point, namely length of a holiday, this is a matter which is dealt with

in the new section 49-B which the Bill proposes to add to the Factories Act. According to this section, the total holiday is to be on seven consecutive days for a worker who has put in a continuous service for one year. It might be asked as to why we have taken seven days and not more. The reply to that is that in fixing this period of seven days, we have followed the provisions contained in the Geneva convention of 1936 which laid down six days as the limit of the holiday. To that we have added a seventh day which is a compulsory weekly rest granted to a worker under section 35 of the Factories Act.

With regard to the question of qualifying conditions laying down as to when a worker will be entitled to claim a seven days holiday, the provisions contained in the Bill are as follows. As a matter of fact, there is really only one condition and that is that the worker must have put in a period of twelve months continuous service. There is no other condition. With regard to the question as to what is continuous service of twelve months, the bill provides for what are called interruptions and declares mat certain interruptions shall not invalidate the claim for holidays with pay. The interruptions which are mentioned in the Bill are interruptions arising out of sickness, accident, authorised leave, lock-out period and a strike period provided the strike is legal.

**Involuntary Unemployment**

There is also another provision in the bill which relates to the same subject and that is the question of involuntary unemployment caused by the desire of the factory owner to close the factory. We have limited that to a period of 30 days. If the involuntary unemployment caused by the factory manager does not extend beyond 30 days, then that would not invalidate the claim of the worker for his right to holidays with pay. It might be necessary perhaps to mention why we have prescribed only 30 days. The explanation is this. Holidays with pay must necessarily take into account the ability of the manager or the factory owner to pay and the view that is taken in the Bill is that if the manager or the factory owner is obliged to close his factory for more than 30 days, then I think it is legitimate to presume that he has really not been prospering as well as he ought to and that he is, therefore, not in a position to pay the cost for holidays with pay. But if the involuntary period does not exceed 30 days, then the presumption is that he is still

able to bear the cost and should bear. The Bill also provides for limited condition with regard to holidays with pay and that limited condition relates to the question of accumulation of holidays. The Bill provides that a worker who has been qualified to earn his holidays may be entitled to accumulate holidays for two years and that is for a total period of 14 days.

**Pay during Holidays**

Coming to the question of pay during holidays, there are several points to which I should like to draw the attention of the House. The first is that although the total period of the holiday is seven, only six are declared to be paid holidays. The seventh, as I said, is really a day of weekly rest provided under section 35. With regard to the seventh day, the Bill does not make it obligatory upon the employer to pay for it. But at the same time the bill does not take away the right of the employee to demand payment, if as a result of his contract of service that holiday was due to him as a paid holiday. It is really left to be governed by the contract of service.

The third point is with regard to the payment to be made for these six holidays. The rule that we have adopted in the Bill is a rough, and I believe, an equitable rule and it is this : that a worker is to be paid at a rate equivalent to the average of his earnings during the three preceding months barring overtime. I believe that is an equitable principle. The Bill also provides that in order to enable a workman to take his holiday, some facilities should be given him in order to have some cash with him on the day on which he proposes to start on his holiday. Consequently provision is made in the Bill that half the dues which are to be paid to the workman going on holiday shall be paid to him at the start.

Another matter which is relevant to this, and is also importants, is this. The Bill proposes to exempt certain factories from its operation if it is found that a factory has a system of holidays with pay which is substantially similar to the one provided in the Bill and about whose satisfactory character the Provincial Government is able to certify. The object underlying this clause is that if there is a voluntary arrangement between the employer and the worker whereby the worker is given the same privileges which we are providing in the law, the view taken by

the Bill is that in so amicable an arrangement it is unnecessary for the law to enter.

Sir, these are the main provisions of the Bill. There are two other matters to which I should like to make a reference before I sit down. The first is the question of a discharge of a workman by the employer to prevent him from earning his holiday. The second question is the employer inducing a workman not to take his holiday although he has earned it. These are questions which I frankly admit are not being provided for in the Bill. Not that Government are not aware that such questions may arise, but the view of Government is that at the present stage, at any rate, there is no reason to suppose that such contingencies will arise. If experience shows that such cases do become usual it would be time then to amend the Act to stop their recurrence. For the moment the view I hold is that the provisions of the Bill are sufficient for the purposes which it has in view, namely, to grant holidays with pay to factory workers.

Sir, I move.

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**The Honourable Dr. B. R. Ambedkar :** My task has been considerably lightened by the fact that there has been general support given to the motion which I have made in regard to this Bill and therefore in the course of the reply which I propose to make to the debate, I shall be very brief.

I had better say something straightaway with regard to the speech of my Honourable friend Dr. Sir Zia Uddin Ahmad. What I propose to say is this—that I really do not propose to say anything about what he has said and I hope we would not take it as an act of discourtesy to him, because what he has said, if I may say so, has really very little to do with the Bill which is under discussion. He has propounded a novel theory of solving the labour problem—namely, partnership. I am sure that we are greatly benefited by the elucidation which he has given of this new ideology, and I can assure him that when the problem of our constitutional structure comes before us for discussion what he has said undoubtedly would be a matter of great use and benefit not only to myself but to all those who will be engaged on that problem.

* Legislative Assembly Debates, Vol. IV, 7th November 1944, pp. 372-75.

Coming to the other speakers. I first propose to deal with the observation which fell from my friend Sir Vithal Chandavarkar. He referred to the Resolution which was moved by Sir Frank Noyce in this House with regard to the International Convention dealing with holidays with pay. I did not, if I may say so, succeed in catching exactly the point that he wanted to make by reference to that speech but I understood him to convey the fact that the Government of India had changed front.

**Sir Vithal N. Chandavarkar :** No, no.

**The Honourable Dr. B. R. Ambedkar :** That in 1936 they were opposed to it, while now they are prepared to give recognition to the principle contained in that Convention. I do not think that there has been any change in the position of the Government of India. I have read the debate with some care and attention and I am quite satisfied that the reason which led the Government of the day to oppose the Convention was because of the understanding that if a convention has to be recognised it must be recognised as a whole. It could not be recognised in part and the Government of India, as it was then advised, felt that it was impossible, having regard to the circumstances of this country, to accept the convention as a whole and although therefore they were prepared to accept the principle and also prepared to investigate the possibilities of applying it in some limited manner they could take no other course than the one which was open to them under the circumstances which then prevailed.

Now, my friend Mr. Joshi has made some points in the course of his speech. Two of his points, I must admit, are points of substance. The first point that he made was that although we were limiting the scope of the Bill we have limited it to a factory and we have not agreed to extent the principle at least to an industry. As I said, I admit that this is a point of substance but I must at the same time point out that to have applied it to an industry means that it would be necessary for us to devise some method by which we could pool the resources of those concerns which come under one particular industry. Now, although as I said, I have the fullest sympathy with the point which he has made, it is not possible for us at the present moment, without any experience behind us, to work out a pool system by which all factories within a particular industry could be made to share the cost

of broken holidays earned by different employees in different factories arising out of broken periods of service in different factories. And this is the reason why it has not been possible to make the thing applicable to industry as a whole.

The second point which Mr. Joshi made was the complaint that the holiday period provided in the Act is too short. I also admit that there is considerable force in that 7 days is in fact too short a holiday but there again I am confronted with another difficulty, which difficulty is a difficulty which I am sure both Mr. Joshi as well as Sir Vithal Chandavarkar have to admit. The difficulty arises on account of the desultory character of our labour. Labour, as Mr. Joshi and Sir Vithal Chandavarkar both know, take long holidays for a variety of reasons and consequently the absenteeism which is prevalent on account of this habit does really complicate the matter very much. If our labour was induced or was trained to give continuous service in a factory for a large number of days than they have been doing now, I should be quite prepared to admit that the case for extension of the holiday beyond the period that we have fixed would undoubtedly be very strong but I hope that the fact that we have given seven days holiday would have its indirect effect on the labouring and working classes of this country who will realise that if they did render more continuous service than they have been doing, they would be making strong the case for the extension of the holiday beyond the period of seven days but as the situation stands, I think it would not be justifiable to go beyond the prescribed period of seven days which, if I may say so, is also the period which was recommended by the Convention.

Then, Sir, another point that was made with regard to the same question was with relation to the application of the Act to non-perennial factories, a point that was made by my Honourable friend Prof. Ranga on the other side. To that point also my reply is the same, namely, that the provision for 7 days paid holiday is made to those workmen who are not getting a sufficiently long rest, if I may use that phrase. Now, a non-perennial factory is a factory where people do get long period of rest. It may be that it is a case of involuntary employment, but I am not looking at it from the point of view of employment or unemployment. So far as the Bill is concerned, we are looking at it from the point of view of rest and so far as the non-perennial factories

are concerned, the workmen certainly get a sufficiently long period of rest so that it cannot be said that in their case there is as much necessity for a paid holiday of 7 days as it is in the case of the perennial factories.

Then, Sir Vithal Chandavarkar raised a point with regard to the words 'at least' in one of the amending clauses. He expressed the fear that having regard to the use of the words 'at least' in one of the amending clauses it would be possible for Provincial Governments to direct that the factory-owners may be compelled to give more than 7 days. Now, I would like to convey the assurance that has been given to me by my legal advisers that under the amended section, as it stands, it would not be possible for the Provincial Governments to compel an employer to give more than 7 days' holiday. Another point which was made by Sir Vithal Chandavarkar was that this was a premature measure and that, in his opinion, this measure should come last ; certainly it should come, according to his judgment, not before the Sickness Insurance Act which Government is contemplating and thinking about. I personally beg to differ from and if I had time I would have given some arguments in support of my contention. I would invite him to read the observations of Professor Adarkar in his report on health insurance for industrial workers which occur on page 112 where he will find some very strong arguments which he has produced in order to show that the holidays with pay is a measure which is so integrally connected with sickness insurance if an order of precedence was to be framed it would be necessary to give priority to the measure relating to holidays with pay before social insurance. As I said, the report is now available to the Members of the Legislature and I will not take the time of the House in repeating what has been said by Professor Adarkar on this point.

Then, Sir, another point which has been raised on both sides is the question whether a measure like this should be compulsory or voluntary. So far as the Bill is concerned, I think it strikes a very happy mean inasmuch as the Bill, while making obligatory by law to provide holidays with pay for workmen who render a certain length of service, has left it open for voluntary agreement between the employers and the employees. As Honourable Members must have seen, there is a clause in the Bill which says that if Government is satisfied that a measure of holidays with pay substantially similar to the one which has been contained in the provisions of this Bill is introduced

voluntarily by an employer and the Government is satisfied of its efficacy, Government has been giving power to exempt a factory from the obligations in this Act. I find that the position in Great Britain is also similar in this matter. Under the British system, there is a Holidays with Pay Act of 1938 and 2,300,000 people are covered by it. The rest of them, namely, 5 millions, get it under voluntary agreement, not under the Act and 4,000,700 get under what is called a long-standing custom.

**Sir Cowasjee Jehangir :** Where is the provision whereby an employer can postpone giving that leave ?

**The Honourable Dr. B. R. Ambedkar :** I am coming to that. Now, Sir, one other point I wanted to deal with, as I said, was this compulsory versus voluntary.

The other point that was raised by my friend Prof. Ranga and also by Mr. Chettiar was that we have made no specific provision against an employer entering into an unfair practice whereby he would discharge an employee in order to prevent him from earning his holiday. To that point I had referred in my opening speech when I made the motion and I said that while Government is aware that certain practices may develop, Government does not think that they ought to take any action straightway. Government would prefer to wait and watch and see which side resorts to what sort of stratagem in order to over-reach the other side. But, as I said if there is a strong feeling on the point and those who represent labour are able to convince the Select Committee that it is necessary straightway to have a provision entered into the Act itself to prevent any such practices, it will be open to them to move and get it through. Government does not regard that as a matter of principle and will not stand in the way of the thing being done in the Select Committee.

The other point which has been raised is whether this question of leave should be entirely made dependent upon the wishes of the employee, namely, that the employee should have a right to determine from what date and at what time he should exercise his holiday. Now, we have deliberately made no provision in the Bill for that and we have left it to the Provincial Governments to make rules to regulate what should be done with regard to that particular point. I think it would be desirable in an experiment of this kind not to tie down everything

by statute. It would be better if the matter was left to be regulated by rules for which the Bill authorises the Provincial Governments to make, because, as the House knows, it is much easier to change a rule than to change a statute. But as I said, if the parties to this Bill who are concerned and affected do desire that this should be made the subject matter of a statute, it will again be open to the Select Committee to do so.

I do not think there is any point raised by any Honourable Member which I have not covered and I therefore do not propose to say anything more in support of the motion I have made.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The question is :

> "That the Bill further to amend the Factories Act, 1934 (Second Amendment) be referred to a Select Committee consisting of Nawab Siddique Ali Khan Bahadur Shaikh Fazl-i-Haq Piracha, Mr. R. R. Gupta, Mr. A. C. Inskip, Sir Vithal N. Chandavarkar, Rao Bahadur N. Siva Raj, Mr. N. M. Joshi, Mr. D. S. Joshi, and the Mover and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

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# 38

## * The Payment of Wages (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Mr. Deputy President, I move :

> "That the Bill further to amend the Payment of Wages Act, 1936, be referred to a Select Committee consisting of Seth Yusuf Abdoola Haroon, Mr. Muhammad Hussain Chaudhurv, Mr. Lalchand Navalrai. Mr. A. C. Inskip, Sir Vithal N. Chandavarkar, Mr. N. M. Joshi, Dr. Sir Ratanji Dinshaw Dalal, Mr. D. S. Joshi, and the mover, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

Sir, the Payment of Wages Act, to which the present Bill proposes to make certain amendments, was passed in the year 1936. This Bill, at the time when it was passed, was recognised as an experimental measure for the simple reason that when the Bill was drafted we had not before us any model piece of legislation on which we could have modelled the measure which is embodied in this Act. We have had now an experience of practically six years of this measure and in the course of the working it has been discovered that the Bill suffers from many defects. If I may tell the House, it has been pointed out that there are practically 30 or 40 amendments which it is necessary to make to improve the Payment of Wages Act. The government of India realise that at present they have not got the time to devote to all the amendments to the measure which different parties have suggested and consequently they do not propose to engage themselves upon improving the Act and to remove all the defects that have been suggested. What the Government of India proposes to do through the present amending Bill is to take certain defects which are of such administrative importance that unless and until those defects are removed, it will be difficult to administer the measure with the intention which lay behind the act when it was passed.

*Legislative Assembly, Debates, Vol. V, 16th November 1944, pp. 889-92.

Sir, taking the Bill clause by clause : Clause 2 of the Bill seeks to make certain amendments in the definition of the word "wages". I do not wish to weary the House by repeating seriatim the defects which different parties to the Bill have suggested that they have found in the present definition of the word 'wages' as it stands. But I might mention some important ones. It has been said in a judicial decision given by the High Court of Bombay that the present definition of "wages" is so drafted that it is possible for a workman not only to claim wages which he has earned but also wages which might be called potential wages-wages which he might cam. That certainly was not the intention of the original measure. Another defect which has been suggested with regard to this definition is that it allows a workman employed on the outturn basis to claim wages irrespective of his outturn. It has been suggested that there is a confusion in the definition which does not quite distinguish the case of a workman employed on a time basis and a workman employed on outturn basis. It has also been suggested in certain quarters that some of the words which now occur in the definition are superfluous, that they need not be there and that their presence only causes confusion. I might refer to the words "includes any bonus or additional remuneration of the nature aforesaid which would be so payable". It has been suggested to us that these words may not have any meaning other than the one which is already included in the previous part of this definition. It has also been suggested that while the definition of "wages" was adequate before the system of dearness allowance brought about by the war came into existence, the definition today is inadequate because it is open for an employer to argue that the dearness allowance is not part of wages.

Now, the definition that we have suggested in the amending Bill seeks to remove all these difficulties. It seems to make the definition simple. I ought to tell the House that I am myself not very confident that the draft, as it stands in the amending Bill, carries out the intention which lies behind this original Act. I do not regard the definition which we have proposed as sacrosanct and if the members of the Select Committee are able to suggest a better one I should certainly raise no objection to the further amendment of the definition as it now stands in the amending Bill.

Coming to clause 3, it is a clause which makes two amendments to the present section 5. As the Honourable Members will remember, section 5 is a section which prescribes the period during which wages must be paid ; and for the purpose of prescribing the period for the payment of wages, the section divides factories into two categories. In one category are placed factories which employ workmen whose number is less than 1,000. In the second category are placed factories which employ more than 1,000 employees. After making this division, the section provides that in the factories which come into category No. 1, payment must be made within 7 days, while in the case of the latter the limit of the period is prescribed to be 10 days. In actual practice it has been found difficult to observe the terms of this section, and the reason for that is very simple. The division of the factories is based upon the number of employees. As the House will realise, the number of workmen is never a constant figure ; it always changes. For instance, if the number of employees goes down by one, the category automatically shifts from category No. 1 to category No. 2. Similarly, if the number of employees is increased by one, category No. 2 goes into category No. 1. It is believed—and I think very rightly—that this discriminating principle is neither very just nor administratively feasible. Consequently what the amendment seeks to do is to abolish this distinction whereby the factories have been divided into two categories and adopt the general principle that in all factories, irrespective of the number of employees that are working there, there shall be a uniform rule, namely, that the payment must be made within ten days. The second amendment which clause 3 seeks to make is also, as the House will see, very necessary. In section 5, provision is made for the payment of an employee who is discharged from service. The section as it stands today provides that the payment to a discharged employee should be on the second working day. Now, Sir, if the Payment of Wages Act was only applicable to perennial factories which are working throughout the day, there can be no difficulty arising from the section as it stands now. But in the case of seasonal factories, the difficulty that would arise is absolutely genuine because, supposing an employee was discharged on the last working day of the factory and the factory being a seasonal factory was closed down thereafter, then the second working day would come after a long interval which it would

be difficult for anybody to imagine or to stipulate. Consequently the payment of wages to a discharged employee working in a seasonal factory would be indefinitely postponed if the provision as it now stands was not amended in the way suggested in the Bill. What we have therefore done by the amending Bill is to take away the word 'working' and substitute for the word 'second' the word 'third', so that where the factory is a seasonal factory or where the factory is a perennial factory every discharged workman will be paid on the seventh day and would not have to wait as he would have to in case the factory was seasonal factory and the Act stood as it is now.

Now, I come to clause 4 of the Bill. As Honourable Members will see clause 4 proposes to make certain amendments in section 7 of this Act. Section 7 is a section which lays down what deductions can be made from the wages of a workman. Honourable Members will see presently that the section as it stands now does not cover all legitimate cases of deductions. I will draw the attention of Honourable Members to what are the omissions in the present Act. For instance, the act as it stands now, or the section of the Act, does not cover the case of an employee who has left his employment, taken his provident fund and his gratuity and has lost the privileges which he would otherwise get if he had continued to be in service. It may be that for certain reasons, he had to resort to the expedience of obtaining a discharge from service in order to get his provident fund and his gratuity to meet certain economic demands that may be very pressing upon him. After that, he is re-employed and obviously he is anxious to get back all the privileges which he enjoyed before his discharge and his privileges depend upon whether or not he is prepared to return the provident fund which he had obtained and the gratuity which he got. The workman is willing and prepared for such deductions being made, but the law does not permit this. I think it will be agreed that such deduction should be allowed because it is in the interest of the employee himself. But as I said such a provision does not find a place in the act, as it now stands. Then, Sir, there are certain deductions which may be beneficial to the employee and the employee may be willing that the deductions may be made in order to cover such beneficial purposes. Again, there is no provision for allowing the workman voluntarily to agree to make deductions which he thinks are beneficial to himself. The law is made

by the amendment in order to the conclusion that the purposes are beneficial really. There are other omissions in section 7 as it stands and those omissions relate to cases of workmen who are employed in what are called incremental scales. This is a new thing in the bill and I wish to explain to the House not only what the provisions are but the circumstances which have led us to bring forward this amendment. The sub-section (3) of section 4 deals with three cases. It deals with the case of withholding of increment of an employee who is employed on an incremental scale. It deals with the case of demotion from a higher grade to a lower grade with consequent deduction in salary. Thirdly, it deals with the case of retention of an employee in a grade, the deduction of salary being due to loss of efficiency. The reason why it has become necessary to bring forward these amendments embodied in sub-section (3) of section 4 is that it has its origin in a decision given by the Judicial Commissioner of Sind. It was a case in which an employee who is, I believe an Engine driver, was concerned. His grade was maintained, but his salary was reduced. He went to a court of law for redress and pleaded that the reduction of his salary, while he was continued in the grade, was a deduction unauthorised by law. The Judge upheld the contention and said that was an unauthorised deduction. But the Judge observed that if there was a new contract entered into with an employee telling him that as his efficiency was not of the required level and standard to discharge his duties that are incumbent upon an officer holding that particular grade, and if the new contract was accepted by him, then the deduction would be justifiable. Now, what I have done in the Bill is to accept the suggestion made by the Judge, namely, that whenever there is a case of an officer whose grade is not reduced, but whose salary is reduced on account of the fact that he is not found to be as efficient as the responsibilities of the post require, the deduction shall not come into existence unless the period of notice that his service requires shall be fulfilled. Now, Sir, the object of that provision is really to give him one month's notice. The completed or simplified procedure would be to give him a legal notice and to say. "We are not prepared to pay you the same salary that we paid before ; if you like, continue on the new basis ; if you do not like it, discontinue and go out of service". Instead of having that elongated process of two equations, notice and reply, offer and rejection, we have combined the

process by delaying the operation of the reduction decision by the period of notice, so that before the period of notice expires if he tells his employer that he is not prepared to accept, he would be at liberty to go out. I should like to make this point clear because it might be argued that in bringing forward these amendments we have really tried to counteract or set at naught or nullify the decision of the Additional Judicial Commissioner and I want to tell the House that I am doing nothing of the kind but am merely following the decision of the Judicial Commissioner in the amendments which we have proposed.

With regard to the other two amendments, viz., the withholding of increments and demotion from a higher grade to a lower grade, there can be no matter of controversy, for the simple reason that a period is promoted from a lower to a higher grade only when the employer is satisfied that by the experience that he has had in the grade in which he has been serving he will be able to acquire such greater experience and greater efficiency that he can be legitimately expected to discharge the responsibilities of the higher grade. When, for instance, he has not been promoted there is no grievance, for the simple reason that he has not earned something which is sought to be taken away.

Similarly with regard to the other provision, viz., demotion from a higher to a lower grade, I do not think there can be any legitimate grievance in this kind of deduction, for the simple reason that when a man has lost so much efficiency that an employer does not think that he can be retained in the same grade, I think it is justifiable to reduce him because the reduction in salary is also accompanied by reduction of responsibility.

Now coming to clause 5 of the Bill it is a very simple clause. It seems to amend sub-section (7) of section 8. Sub-section (6) of section 8 deals with the question of the time within which the fine imposed by an employer may be recovered. The question that arises is, when does the time run ? Does it run from the date when the offence was committed or does it run from the date when the employer came to know that a certain act or omission was done ? Obviously it is not always possible for an employer to know at the very time when an act was committed that it had been committed ; it often happens that an act is committed and knowledge of it comes to the employer after a very long time. Consequently, it is felt necessary that the point of time from which

limitation should run should not be the date of the offence but the date of the knowledge ; and I should like to tell the House that in amending this provision we are not introducing anything that is novel. As lawyer Members of the House would know, there are many provisions in the law of limitation where the time in some cases runs from the date of the act and in some cases from the knowledge of the act.

Coming to clause 6, this seeks to amend section 9 of the Act. Section 7 (2) (b) permits deductions being made on account of absence from duty. Unfotunately there is no definition given in the Act itself as to what is meant by 'absence from duty'. This clause removes this lacuna and adds a second explanation to section 9 where the expression 'absence from duty' is not sought to be defined. Clause 7 amends section 13, and that again is purely consequential; it is not a substantial provision. If makes section 13 applicable to the two of the new deductions contained in clause 4 of the Bill. As Honourable Members know, section 13 makes deductions permissible subject to such conditions as the Provincial Government may impose. We also want that the new deductions which the new amendment permits shall also be subject to the same proviso.

The last clause amends section 17 of the Act which regulates the right of appeal. As it stands the section gives a right of appeal to an employed person but does not give it to the Inspector who is the administrative authority for administering this particular Act. It is felt that it would be advisable in the interest of all, and particularly in the interest of the employees, for the Inspector also to have the right to make an appeal.

These, Sir, are the provisions of the Bill. I submit they are non-controversial and I believe and hope that the House will be able to accept my motion.

Sir, I move.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Motion moved :

> "That the Bill further to amend the Payment of Wages Act, 1936, be referred to a Select Committee consisting of Seth Yusuf Abdoola, Haroon, Mr. Muhammad Hussain Chaudhury, Mr. Lalchand Navalrai, Mr. A. C. Inskip, Sir Vithal N. Chandavarkar, Mr. N. M. Joshi, Dr. Sir Ratnji Dinshaw Dalal, Mr. D. S. Joshi, and the mover,

and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

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**Mr. N. M. Joshi :** ..... Sir, the Hon'ble Member has also introduced certain other amendments, one of them regarding permitting certain deductions for absence.

***The Honourable Dr. B. R. Ambedkar :** I have only given the definition of absence. I have not permitted deductions : they are already there.

**Mr. N. M. Joshi** : I know. The Honourable Member is a very simple man. He has changed the definition of absence with the result that certain deductions may be permitted. The original Act permits deductions for absence up to a certain point. The deductions may be made for the actual time lost or work not done. But if this Amendment is made, and if I understand it rightly, it is quite possible for an employer to impose double fine on the employee.

**The Honourable Dr. B. R. Ambedkar:** That is not correct.

**Mr. N. M. Joshi:** All right. We shall discuss it at the proper time. What may happen is this : an employee is absent for an hour. He cannot turn out work for that hour and therefore if he is paid on piece rate his wages are automatically reduced. Besides receiving less wages, it is quite possible that if this Amendment is made, the man's wages may be deducted still further.

**The Honourable Dr. B. R. Ambedkar:** No, no.

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@ **The Honourable Dr. B. R. Ambedkar :** Mr. Deputy President, if it can help to curtail the debate, I should like to state at this stage that I am prepared to accept the amendment.

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†**The Honourable Dr. B. R. Ambedkar :** Sir, as I have said, I am prepared to accept the motion made by my friend Mr. Joshi. In that event, it is unnecessary for me to make any speech. All that I would

*Legislative Assembly Debates (Central), Vol. V, 16th November, 1944, pp. 896.

@ *Ibid.,* p. 901.

†*Ibid.,* p. 902.

like to say is this that I cannot agree that any strong case has been made out for circulation. As I said just now, I made myself very clear that the amendments which I have put forth were administrative in the sense that they will remove the difficulties that exist in the administration of the law. I have not seen that any of the amendments which are contained in this Bill were, if I may say so, beyond the capacity and the intelligence and the knowledge and the information of Honourable Members of the Select Committee. I, Sir, was surprised to see that my Honourable friend Mr. Joshi did not do enough credit to himself. If I circulate the Bill, and I am asked to circulate the Bill in order to canvass the opinion of the working classes, I wonder whether who would be the advocate that would be employed by the working classes except Mr. Joshi himself or my Honourable friend Mr. Lalchand Navalrai. It was in order to get the benefit of their representative character, their knowledge and information that I have taken care to include them in the Select Committee. However, Sir if they feel that they cannot repose confidence in their ability to deal with what I regard as non-controversial points. I am quite prepared to fall in line with them and accept the amendment.

**Mr. Deputy President** (Mr. Akhil Chandra Datta) : The question is :

> "That the Bill be circulated for the purpose of eliciting public opinion thereon by the 28th February, 1945."

The motion was adopted.

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# 39

# * Damodar Valley Scheme Calcutta Conference

### *Address*

"The Government of India is very much alive to the disadvantages arising from the present state of affairs and wishes to take steps to evolve a policy which will utilise the water resources of the country to the best advantage of everybody and to put our water resources to the purpose which they are made to serve in other countries," observed the Honourable Dr. B. R. Ambedkar, Labour Member, Government of India, in his address to representatives of the Central, Bengal and Bihar Governments at a conference held in the Bengal Secretariat in Calcutta on January 3 to consider means and methods for developing Damodar Valley.

Here is the full text of Dr. Ambedkar's speech :

On behalf of the Government of India I thank you for having agreed to hold this meeting at such short notice and at considerable personal inconvenience to yourselves. The purpose of this meeting is to consider means and methods for giving effect to the proposals of the Damodar River Flood Enquiry Committee appointed by the Government of Bengal in 1944. Before I proceed further, it is only proper that I should congratulate the Government of Bengal on the appointment of this Committee. I must also pay my tribute to the Committee for the very sound views they have expressed both on the particular problem of dealing with floods in the Damodar River and on the general problem of the best utilization of the water resources of the country.

## Committee's Recommendations

I would like to make particular reference to two of its recommendations,

*Indian Information, February 1, 1945, pp. 97-101 & 109.

namely VIII and XIII. In their recommendation No. XIII the Committee have stated :

> "During the course of discussions it was felt by the Committee that it will be an advantage in the solution of flood control and soil conservation problems if forests and rivers of India are made the concern of the Central Government."

By their recommendation VIII, the Committee have suggested that the project of damming the Damodar should have as its purpose not merely stopping the flood but also include the generating of electricity and the supply of water for irrigation. Those who are aware of the present policy, or lack of policy, in the matter of the utilization of India's water resources will admit that these are recommendations, the importance of which cannot be exaggerated. It is not far from truth to say that so far there has been an absence of positive all-India policy for the development of waterways. Secondly, there has not been enough realization that our policy for waterways must be multi-purpose policy so as to include the provision for irrigation, electrification and navigation.

**Railways And Waterways**

Irrigation has been the only purpose of our waterways policy. Further, we have not taken sufficient account of the fact that there is no difference between railways and waterways, and if railways cannot be subjected to provincial boundaries, neither can waterways, at any rate those that flow from province to province. On the contrary we have allowed our constitution to make a distinction between railways and waterways, with the result that railways are treated as Central, but waterways are treated as Provincial.

The disadvantages of this error are many and obvious. To give one illustration, a province needs electricity and wishes to utilise its water resources for the purpose but it cannot do so because the point at which water can be dammed lies in another province which being agricultural does not need electricity and has no interest in it, or money to finance the project, and would not allow the needy province to use the site. Complain as much as we like, a Province can take such an unfriendly attitude and justify it in the name of Provincial Autonomy.

## Utilisation Of Water Resources

I have made these observations with a two-fold purpose. Against this background you are in a better position to evaluate the recommendations of the Damodar River Flood Enquiry Committee appointed by the Bengal Government, to which I have made particular reference. My second purpose is to tell you that the Government of India is very much alive to the disadvantages arising from the present state of affairs and wishes to take steps to evolve a policy which will utilize the water resources of the country to the best advantage of everybody and to put our water resources to the purpose which they are made to serve in other countries.

A revision of the constitution treating waterways on the same footing as the railways will no doubt be a very welcome change. But the Government of India does not think it necessary to wait till such constitutional changes come into being. Nor does the Government think that, if the Provinces show the will to co-operate in a joint project for the utilization of the water resource, the difficulties created by the constitution will stand in their way.

The Government of India has very much in its mind the Tennessee Valley Scheme operating in the United States. They are studying the Scheme and feel that something along that line can be done in India if the Provinces offer their co-operation and agree to override provincial barrier which has held up so much of their progress and their prosperity. As a preliminary step for securing the best use of the water resources of the country, the Government of India have created a central organisation—called the Central Technical Power Board, and are contemplating to create another to be called the Central Waterways, Irrigation and Navigation Commission.

The objects which have led to the setting up of these two organizations is to advise the Provinces on how their water resources can be best utilized and how a project can be made to serve purposes other than their irrigation. It may be necessary to constitute other bodies, such as the Central Utilization Board or *ad hoc* Commissions of Enquiry. The appointment of the Central Power Board and the Central Waterways, Irrigation and Navigation Commission does not exclude the setting up of such organizations.

The Damodar river is the first project along this line. It will be a multi-purpose project. It will have the object of not only preventing floods in the Damodar river but also have the object of irrigation, navigation and the production of electricity.

The authority which will be in charge of this project after it is completed will be more or less modelled, as far as it may be possible, on the Tennessee Valley Authority. It will be a co-operative undertaking in which the Centre and the Provinces of Bihar and Bengal will be partners. The Government of India are anxious to give shape, form and life to the project, and are anxious that no time should be lost in doing so.

### New Policy For Waterways

The Government of India feel that they cannot proceed further in the matter unless certain preliminaries are explored. The first such preliminary is the site of the dam. Obviously, it cannot be decided in accordance with the wishes of Bengal. Equally, it cannot be decided in accordance with the wishes of Bihar alone. And even if the two Provinces agree upon a site, it could not be finalized without the advice of the experts. There are aspects which have also to be gone into. As I have said, the Damodar project must be a multi-purpose project. We intend that it should not only deal with the problem caused by floods, it should also provide for irrigation, electricity and navigation. Along with the question of a site, these matters have also to be examined.

The business of this conference is to come to a decision as to the best machinery for doing this job. I hope we shall be guided by the right spirit, leaving aside all sectional points of view, and proceed to our business with a determination to agree upon the best solution and open a way to the inauguration of a new policy in regard to our waterways and lay the foundation for a regime of prosperity for the poverty stricken millions of this country.

## CONFERENCE DISCUSSIONS

The Damodar Valley Project, a multi-purpose project, intended to exploit the Damodar river for irrigation, electrification and nagivation, was discussed at the conference presided over by Dr. B. R. Ambedkar.

The basis of the discussion was a note circulated by the Central Government regarding the procedure for collecting necessary information.

Suggestions made in this note required that the three Governments should prepare an inventory of the facts and figures available to each other. This inventory was to be prepared in consultation with the Central Government's technical experts, and, if it did not disclose all the facts required further information should be collected. The Central Government's technical experts could than prepare a preliminary memorandum setting out the prospects for a co-ordinated scheme for the multi-purpose development of the Damodar Valley. The three Governments should then get together and give the necessary instructions for framing a project to the technical experts of the Central Government and the Provinces.

**General Agreement**

While there was general agreement on the question of making the Damodar Scheme a multi-purpose project, representatives of Bengal emphasised that the problem of controlling floods in Damodar should be a primary concern. After some discussion, it was agreed that investigations on the lines suggested by the Central Government should start under Mr. Man Singh, Special Engineer (Irrigation) with the Bengal Government. The Central and Bihar Government would try to lend officers to assist Mr. Man Singh in this investigation. Mr. A. Karim, Deputy Chief Engineer, Irrigation Department, Bihar, would remain in touch with Mr. Man Singh.

Earlier during the meeting Mr. H. C. Prior, Secretary, Labour Department, Government of India, spoke about the administrative side of the waterways problems and indicated days and means by which the Centre could lay its part.

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Among those who attended the Conference were the Hon'ble Mr. B. P. Paine, Minister for Communications and Public Works, Bengal Government, Mr. B. Sarkar, I.C.S., Secretary, Communications and Public Works Department. Mr. B. L. Subarrwal, Mr. J. F. Russel, Chief Engineer, Bengal, Mr. Man Singh, Special

Engineer (Irrigation), Mr. N. K. Bose, Director, River Research Institute. Mr. N. Dar, Secretary, Post-War Reconstruction Committee, Mr. H. M. Ishaque, Development Commissioner and Mr. A. Karim, Deputy Chief Engineer, Irrigation Department, represented the Government of Bihar. Mr. H. M. Mathews, Chairman, Central Technical Power Board, Mr. W. L. Voorduin, Hydro-Electric Member of the Board and Mr. D. L. Mazumdar were also present to represent the Central Government.

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## * Post-war Electric Power Development

A schedule of heavy power equipment required by India as soon as possible after the cessation of hostilities has been prepared and steps have been taken to reserve for India the necessary manufacturing capacity, said the Honourable Dr. B. R. Ambedkar, Labour Member, Government of India, in his address to the second meeting of the Policy Committee on "Public Works and Electric Power" held in New Delhi on February 2.

Here is the full text of Dr. Ambedkar's speech :

I should like to begin by extending to all the representatives, old and new, present at this meeting a most hearty welcome. I say old and new because we have on our Committee new members who were not on the Committee when we met last. They are the nominees of the Federation of Electrical Undertakings in India and of the Indian Trade Union Congress. Electrical undertakings and organised labour are both vitally concerned in the future of electrical development in India and whatever they may have to say about the subject must receive due consideration in any decision that may be arrived at. I am sorry that an omission to have them with us should have occurred last time. I apologise for it, for it was indeed a very serious omission. I am sure we are all very glad to have them with us today and will be looking forward to their contribution to the discussion of the subject we have before us.

### Power Engineers' Conference

**I** believe it would be of some advantage if I were to begin the few observations I have to make as Chairman by referring to what has been

*Indian Information, February 15, 1945, pp. 235-41.

done by the Government of India in furtherance of the post-war planning for electrical development since the Committee last met on October 25, 1943, as most of you may have no knowledge about it. Soon after the last meeting of this Policy Committee, Mr. Mathews, the Electrical Commissioner with the Government of India, with the approval of Government, called together a Conference of leading power engineers in the country, both official and non-official, to consider postwar electric power development. The first thing the Conference did was to prepare a schedule of the heavy power equipment required **by India for electric development immediately after the war. In addition to this the Conference passed certain resolutions all of which, to use the language of the report, "represented the unanimous conclusion of their studies, investigations and discussion." These resolutions fell under four heads** :—

(1) Under the first come recommendations which set out some general and specific suggestions to the Provinces and States to be observed by them in regard to electrical development within their jurisdiction.

(2) Under the second were grouped those which concerned the appointment of the Technical Power Board.

(3) Under third come those related to certain prospective power developments considered by the Conference to the *prima facie* worth investigation without dalay.

(4) Under the fourth head were placed those which relate to railway electrification, manufacture of synthetic fertilisers and rural electrification.

As the members of the Conference said in the letter accomanying their findings, "this is the first occasion on which the power development programme has been reviewed as a coordinated whole and that the presence of engineers whose experience covers in the aggregate the varied conditions of the whole of India, has introduced an extremely valuable element in co-ordinating regional needs."

## Heavy Power Equipment

I am sure you will agree that we owe the Conference a great debt for unfolding to us the prospective electric power development for the

whole of India in the period immediately succeeding the cessation of hostilities in such clear cut manner. The Conference asked the Government of India to take appropriate action on the several recommendation made by them. The two recommendations in regard to which action lay with the Government have been already put into effect. They relate to the securing of equipment and the establishment of the Technical Power Board.

A schedule of heavy power equipment required by India as soon as possible after the cessation of hostilities has been prepared and steps have been taken to reserve for India the necessary manufacturing capacity. The total capacity reserved come to over 850 megawatts, at an estimated cost of Rs. 50 crores approximately. The aggregate of new capacity represented by these schedules comes to nearly 65 per cent of India's existing installed capacity. A more detailed inquiry might show that our requirements for equipment are larger than what has been booked for. But as it was impossible to delay the matter without putting India's interest in grave jeopardy, we had to take action immediately on such data as could be collected within the limited time that was available to us.

**Technical Power Board**

As you must have noticed from the Press Note issued on November 8, 1944, the Government of India has constituted a Technical Power Board. Besides the Chairman, the Board will initially have two full-time members and three part-time members. The Government of India has appointed Mr. Mathews, Electrical Commissioner with the Government of India, as the Chairman and has obtained the services of Mr. W. L. Voorduin from the United Stales of America as another member of the Board. Before he came to India, Mr. Voorduin was employed as a Project Officer of the Tennessee Valley Authority. It is proposed to have a third member to be called the Utilisation Member. Effort is being made to recruit a suitable Engineer who is conversant with Utilisation. These appointments of high level experts will assure you how very anxious the Government of India is to make the Board a strong technical organisation designed to collect ideas, conduct surveys and prepare schemes for the electrical development in consultation with Provincial and State Governments. I have referred

to this because it is necessary you should know what has happened in the interval and also to show that the Government of India has been pursuing the matter in all earnestness and with all speed.

## The Triple Programme

There is another important development in electrical policy to which I would like to draw the attention of all of you here. You will recall that at the last meeting of the Policy Committee, Mr. Collins, on behalf of the Bombay Government, made certain references to the contemplated introduction of the "Grid" system in the Bombay Presidency. During the last year, we in the Government of India have given a great deal of thought to the regional as distinguished from the local development of electricity in different parts of this country. We have felt more and more that if the services offered by electricity are to be brought to the door of producers as well as the consumers at the cheapest possible rates compatible with efficiency, we may have to follow albeit cautiously and gradually, the triple programme on which the Central Electricity Board in the U.K. have worked from the very beginning, viz. :—

(a) The creation of large-scale power stations located in the main industrial areas under the control of public supply undertakings ;

(b) the construction of main transmission system (with smaller secondary lines attached to it for tapping agricultural and other outlying areas) so that the entire region to be developed by the main system can be held in a power ring or a series of power rings radiating out from the large scale power stations ; and

(c) standardisation of frequency as far as possible within the region to be developed by the power system.

This triple programme constitutes the foundation of the "Grid" system, as we know it, to be operating in the U. K. since 1926 and it is my hope that if such a scheme of regional development is adopted in this country, we may before long bring the great boon of cheap electricity service to the door of everyone, high or low.

You may be interested to know that when the "Grid" system on a large scale was first contemplated in the U. K. it was estimated that by 1940-41 the national production of electricity would reach the

colossal figure of 25,000 million units and the working cost of electricity would by that date fall from 9.4d, as recorded in 1925-26, to less than 4d. per unit, while the large industrial consumer would be able to obtain his power requirements at ½d.

## Items On Agenda

I will now turn to the Agenda for our meeting to-day. As you will see, there are altogether four items on the Agenda. Item 4 places before you for your consideration two schemes, one for the Technical Power Board and the other for sending Indians to foreign countries for training in electricity. Neither is a controversial subject. I will not therefore take your lime in dwelling upon them.

Item 2 on the Agenda is unfortunately not quite so uncontroversial as item 4. Item 2 relates to the question of applying to electrical undertakings certain accounting principles for ascertaining their income, expenditure and profits. This item is not as controversial as it appears. The issue raised by this item covers two questions and not one, and the controversy would be very much narrowed if they were considered separately.

The first question is whether the dividend of an electricity supply undertaking should or should not be related to the charges for consumption of electricity. The second question is how to determine reasonable dividend. On the first question, I venture to say, there can be very little dispute. Electricity is to be a prime necessity of the people both for production and consumption. The price of such a prime necessity cannot therefore be at the will of the suplier. The whole industrial future of India will be put in great jeopardy if India could not ensure cheap and abundant supply of electricity. The necessity of correlating dividends to charges is therefore paramount. If this is granted, the necessity of enforcing rules of accounting which will give the undertaking a reasonable return but no more and choke all holes for concealed profits cannot be disputed.

## Principles Of Accountancy

The issue then becomes a secondary one. In pressing for enunciating principles of accountancy we are not introducing any revolutionary idea. We are following the lines laid down in British Legislation on

Electricity contained in the London Electricity Act of 1925 and the Electricity Supply Act of 1926. The Electrical Commissioner with the Government of India has drawn up a Memorandum in which he has proposed a set of such accountancy principles for being applied to electricity undertakings. His Memorandum was circulated to the Provincial Governments and to Electrical Undertakings for their opinions. There has been unfortunately some divergence of opinion. As a means of bridging the gulf, the Government of India proposes to appoint an Advisory Board to advise on principles which may be just and proper. I hope you will regard this solution as a satisfactory one.

There remain items 1 and 3 of the Agenda. They are indeed the most. important items of our Agenda and you will bear with me if I take some of your time to deal with them.

With regard to item 1, it might be well to refresh your memory by telling you how the position stood at the last meeting of the Policy Committee. At the close of the discussion of the items on the Agenda the Policy Committee desired that the Labour Department should draft a Resolution embodying the measure of agreement reached and that it should be placed for discussion at a subsequent meeting of the Policy Committee. A draft Resolution was accordingly drawn up which is in the following terms :—

> "That this meeting recomends that the further development of electricity supply in India be actively pursued as a State or quasi-State enterprise and that steps be taken to eradicate any factors that retard the healthy growth of electrical development in the Provincial, State or Local authority—owned undertaking as well as the commercially owned undertakings."

It was felt that the draft Resolution was not very clear. The Resolution spoke of further development. It said nothing about the undertakings that have already come into existence. The Resolution spoke of the necessity of controlling factors likely to hamper or retard the healthy growth of electrical development but did not specify what the factors were. It was therefore felt desirable that the Resolution should be again carefully considered in the Policy Committee to clear up elements of doubts. This is how item 1 comes to be what it is.

## State Control And Ownership

The discussion at the last Policy Committee meeting seemed to indicate clearly the intention that electrical supply enterprise in areas where there is none at present should be pursued as a State or a quasi-State enterprise ; but there remained an element of doubt as to the extent to which the State should come in those areas in which electrical undertakings were already functioning. For instance, is it advisable that the State or other authority should as a general rule exercise an option to take over an undertaking whenever under the terms of an individual licence such option arose ? And is it advisable that the State should exercise control over existing privately—owned undertakings for the purpose of securing bulk supply for regional development or control of generation ? There may be cases in which in order to secure suitable regional development bulk supply from some other undertaking should be given to some existing undertaking and that it may be that the manner in which an existing undertaking operates and expands may have to be brought into line with general schemes for regional development. We wish, therefore, in this discussion to get clarification not only as to the extent to which State ownership should come in but also as to the extent to which the State should control where State ownership cannot immediately become operative.

## Jevon's Economic Criteria

The issue between State enterprise and private enterprise has ever been a matter of controversy. This controversy is now resounding in India in full blast since we have started the project of planned economy. Old Jevons in his tract on *State in relation to Industry,* attempted to formulate certain economic criteria by which the line between State enterprise and private enterprise can be drawn and which have been the gospel of the opponents of State enterprise. According to Jevons, there were four criteria which ear-marked an industry for State ownership. They were (1) small capital account: (2) routine operations : (3) the co-ordination of several services such as Posts, Telegraphs and Telephone and (4) the sufficiency of a single all-embracing plant as in the case of water and gas supply.

The followers of Jevons in this country propose to add some more criteria, the object of which is to restrict the field of State enterprise

except in one case, viz., they are prepared to enlarge the field by allowing the State free field in such cases which could not be profitable for private enterprise to undertake. The controversy may have had some solid basis when private enterprise was a fact. But to-day private enterprise is only a phase. There is nothing private in an economic order when industry is carried on by huge Public Joint Stock Companies. There is nothing of individual enterprise in an economic order where the slogan of a business firm is caution and not adventure and where the prime consideration is to stabilise profits by seeking to maintain in an orderly permanence existing economic conditions. It is unnecessary for me to enter into this controversy. For there are very few opponents of State ownership and State control who do not make an exception in the case of electricity.

Item 3 raises the question as to who should exercise the option when it falls due by reason of the termination of the licence issued to an electrical undertaking for the supply of electricity. The matter of purchasing an electrical undertaking. This question is now regulated by the provisions of Section 7 of the Indian Electricity Act. According to this section, the authority to exercise the option to purchase vests in the first place with a Local Authority and where the Local Authority does not elect to exercise the option it passes to the Provincial Government. The question raised by item 3 on the Agenda is whether it is not desirable that option should also be given to the Central Government and, if so, at what stage and under what conditions. It is proposed that the Central Government should also have an option to purchase. Having regard to the fact that electricity is a public utility, there ought to be no difficulty in vesting the Central Government with such an authority.

## Provincial Or Central Control ?

Unfortunately, there seems to be some reluctance to accept this principle. Planning in India has been confronted with two issues, the issue of State versus Private enterprise and the issue of Provincial or Central control. With both issues we are all quite familiar and item 3 deals mainly with the second issue. To those who believe in State enterprise it should be a matter of small consideration whether the enterprise should be Provincial or Central and little or no objection

should be raised to Central control in cases where a Province does not desire to take on such control, or where in the interests of regional development extending beyond the boundaries of a Province, Central control may be considered necessary. In the case of electricity, as in the case of waterways, suitable schemes cannot be limited by provincial boundaries, and though there must clearly be the closest co-operation and co-ordination between the Centre and the Province, it does seem advisable that the Centre should be able to step in cases where State control is found necessary for regional development and where a Province does not itself wish to bring an undertaking under State control.

I don't think I can usefully add anything to what I have already said about questions arising out of the Agenda. However before I close, I would like to say how very necessary it is for you to bear in mind that whatever decision you take it must accord with the public opinion in the country regarding the future of Indian Economy. It would be a mistake to suppose that there is no Indian public opinion on the future of Indian Economy because one does that opinion is I do not wish to dogmatise although I am sure that it is far more Leftist than many are inclined to allow.

The point I am anxious to emphasise is that the need for an accord between the plan and public opinion can hardly be exaggerated in a country like India which has as its ideal a Parliamentary system of Government. People talk about the success of planning in Russia. But they forget that the success is due largely to the fact that Russia has no Parliamentary Government. Planning in a Parliamentary Government where those who plan live under the constant threat of no confidence motions and cannot be sure whether they can remain long enough to put their plans through is a very doubtful proposition. Whether planned Economy is inconsistent with Parliamentary democracy and, if it is so, how the two can be reconciled is a very large theme and this is not the place to deal with it. All, therefore, I wish to do is to caution you that if our plans are not to be scrapped by our successors, we must lake care that they are in accord with what the large majority of people believe to be for the greatest good of the greatest number.

## Committee's Recommendations

The Policy Committee on "Public Works and Electric Power," recommended that the development of electricity supply for areas outside existing licenced areas should be actively pursued, as far as possible, as a state or quasi-State enterprise. If for any reasons the State was not prepared to undertake such development in any area within a reasonable time, private enterprise should not be excluded. They further recommended that, provided efficient and economic operation could be assured to the public, options existing under any licence to acquire an undertaking should, as a general rule, be exercised when they arose. Steps should be taken to eradicate any factors that retarded the healthy and economical growth of electrical development on regional lines whether in Provincial, State or local authority—owned or in commercially—owned electrical undertakings.

In another recommendation the Committee accepted the necessity of laying down financial principles for the control of electric public utilities both in the interests of public utilities as well as of the general public. An Advisory Board should be set up under Section 35 of the Electricity Act to advise Government on the nature, extent and method of application of such principles. On this Advisory Board there should be two representatives of the Central Government, two representatives appointed by agreement with the Provinces, and one representative of the Federation of Electricity Undertakings. The Board may appoint such assessors as may be necessary.

The discussion on the proposal to amend Section 7 of the Indian Electricity Act of 1910, with a view to evolve a systematic and coherent policy for planning electrical development, raised a number of points for examination by the Central Government. The Committee agreed that the Act should be so amended as to give the Provincial Government the first option to lake over an undertaking. The question of amending the Act so as to give power to the Centre to take over electric undertakings, if Central control was considered necessary for inter-Provincial development, was discussed. There was difference of opinion on some aspects of the question, and it was decided that the matter should be further examined in consultation with the Provinces.

## Government's Training Schemes

The Policy Committee welcomed the appointment of the Central Technical Power Board, and the Central Government's scheme for sending ten Indian Engineers to receive training abroad on the commercial and administrative side of electricity supply industry. Four of these officers will receive training in the U.K., four in the U.S.A. with the Tennessey Valley Authority, and two in Canada. Two officers belong to the Central Government, four to Provincial Governments, two to State Governments and two to Public Electricity Supply Undertakings. The Government of India will bear the entire cost of the training of the two Central Government Officers. It was stated that while under this scheme Indian Engineers would be trained in the commercial and administrative aspects of electrical industry, Government intended to send two more batches for training in the technical aspects.

The meeting which was presided over by the Hon'ble Dr. B. R. Ambedkar was attended by the Hon'ble Sir Ardeshir Dalal, Planning and Development Member, Government of India, the Hon'ble Mr. K. Shahbuddin, Minister of Commerce, Labour and Industries Department (Bengal), the Hon'ble Rai Bahadur Gokuldas, Minister for P.W.D. (Sind), Sir Mirza Ismail and Raja Dharam Karam Bahadur. Official representatives of the Central and Provincial Governments and non-officials representing the All-India Trade Union Congress, Federation of Electrical Undertakings and Indian Engineering Association also participated in the discussions.

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## * Government Policy *re* Mineral Resources of India

**Mr. K. C. Neogy :** Sir, I beg to move :

"That the demand under the head 'Geological Survey' be reduced by Rs. 100."

As indicated in the notice, my desire is to discuss Government's policy with regard to the mineral resources of India. But, having regard to the hour I should like my Honourable friend to have as much time as possible for making a statement, which we all desire. I have already indicated to him the various points which I would have liked to deal with had I the time to make a speech on this occasion. As it is more important that we should have a statement from him than that I should make a speech, I should very much appreciate it if my Honourable friend could make an informative statement.

**Mr. Deputy President** (Mr. Akhil Chandra Datta) : Cut motion moved.

"That the demand under the head 'Geological Survey' be reduced by Rs. 100."

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : Mr. Deputy President, I am indeed very glad that Mr. Neogy should have thought of such a cut motion as the one he has moved, because the cut motion gives Government the opportunity to explain its mineral policy which it had not got so far. There is so much ignorance and so much misunderstanding about the matter that I think it is in the interest of everybody that so important a matter as the mineral policy of the Government of India should be explained fully to the House. Sir, I regret, and I have no doubt that there are other Members of the House who will share that feeling that owing to the exigencies of the timetable, Mr. Neogy did not have the opportunity of making a verbal

*Legislative Assembly Debates (Central), Vol. H of 1945, 12th March 1945, pp. 1383-85.

statement explaining the points he wanted to make. I quite appreciate, and indeed I am very grateful to him for having cut short his speech and gave his time to enable me to make a statement.

Sir, this is a matter in which I think it is better to be very candid and say that the Government of India so far had really no mineral policy. It may be a ground for complaint. But it need not be a ground for surprise. The responsibility for the absence of a mineral policy has been sought to be placed in certain quarters at the door of the Geological Survey of India. I am sure that that is a wrong charge ; and I propose to devote the first few minutes that I have in order to dispel such an impression.

I think it will be admitted that the mineral policy of any government is necessarily dependent upon the industrial policy of that government. Minerals necessarily play a great in the industrial development of the country and if the country has no industrial policy, obviously there cannot be a mineral policy at all. This House is aware that until the Government of India decided to have as its aim and object the reconstruction of the economic and industrial life of this country in the post-war period Government in this country played very small part in the industrialisation of the country.

**Dr. P. N. Banerjea :** What a pity !

**The Honourable Dr. B. R. Ambedkar :** Whether it is a matter for pity or whether it is a matter of anger is not for the moment my concern. All that I am trying to show is that if there has been no mineral policy, the fault is not of the Geological Survey of India. The fault lay with the Government of the day ; the fault perhaps lay with the Legislature and, it may be, with other organisations which were interested in the economic and industrial life of the country.

The second reason why the Geological Survey did not play the part that geological surveys in other parts of the world do play is largely due to the fact that this is one of the departments which has always been under-staffed. I would like to tell the House a little history with regard to the staffing and the provision of the technical personnel of the Geological Survey of India. In 1920 sanction was obtained for an

increase in the superior gazetted staff of the Geological Survey. Unfortunately there was much difficulty in getting a trained personnel that it took practically nine years to fill the required number. The pity of the matter was that as soon as this number was filled, the Legislature in 1931 carried a motion for economy and almost all these men who were recruited had to be axed. I point that out in order to show that if the Geological Survey Department did not play its part in the mineral policy of the Government of India, the legislature to some extent is responsible for that result.

In the limited time that I have, I do not wish to dwell more on the past. I wish to speak about the future. I am glad to say that the Government of India has now accepted the need for a definite mineral policy. That is largely due to the fact that the Government of India has taken a decision to have a drive in favour of bringing about the industrialisation of the country. The mineral policy of the Government of India has been set out in section 14 of the second report on Reconstruction and Planning. I have no time to read section 14 or even to give the gist of that paragraph. I have no doubt that the Members of the Legislature who are interested in the matter will look up section 14 and see for themselves what exactly that policy is.

To summarise the matter briefly, the mineral policy of the Government of India and the action which the Government of India propose to take in furtherance of that policy falls into two parts : in the first place, we propose to reconstitute the Geological Survey of India in order to make it a more potent instrument for the furtherance of our policy. Accordingly, a detailed scheme of expansion of the survey has been drawn up and administratively approved. The new branches of the Geological Survey which we propose to set up will deal with engineering geology, industrial utilisation of minerals, central mineral development, geophysical work, oil development. It will include the establishment of a natural history museum, and a publicity section in order to keep the public informed of what is being done.

The second part of our mineral policy consists of legislation, which the Government of India propose to initiate for the purpose of establishing control over minerals. In defining the limits of legislative control over the minerals, we propose to take into consideration the

following circumstances. One, the importance of the mineral from the defence point of view on all India mineral development; two, the technical nature of the mineral; three, the purposes for which the mineral is used ; four, the value of the mineral or of the products into the making of which the mineral enters. Our legislative provisions will fall into two classes, or rather divide the minerals into two classes : those which will be subjected to general control: and under general control we propose to confine ourselves to the granting of prospecting and mining leases, the terms and conditions of such licenses and termination thereof. Then there will be other minerals, which will be selected for more detailed control. The number of such minerals which are suggested for more detailed control are about 28. I do not propose to detail them here. The detailed control will include besides the power to grant licenses, the power to control the method of mining, of processing, of grading, of standardising, to direct improvement of mining and procuring methods, and also the power to initiate research for increased utilisation and for other necessary purposes.

I have stated as briefly as I can within the time available to me the general policy which the Government of India propose to adopt in regard to minerals.

I propose now to turn to some of the specific points of which Mr. Neogy had given notice to me. The first point to which he has referred was the export of minerals. I would like to assure the House that in the contemplated legislation there will undoubtedly be provisions for dealing with the export of minerals outside India. The question really is whether we can completely stop the export of our minerals. The answer to that question must necessarily depend upon another question, namely, shall we be able to import those minerals in which India is deficient if we completely stop the export of our own minerals ? As Honourable Members are aware, India is in fact deficient in such important minerals as oil, copper, lead, zinc, tin and sulphur. Consequently the question of export has to be considered in the light of the effect it may produce on our ability to import things of which we have a deficiency. The course which appears safest to the Government of India is to regulate the export of those minerals of which we are in short supply and which are necessary for the industrial development of the country, and secondly to see that our minerals are

not exported in a raw condition but that we establish in our own country such industries as will enable us to process the raw material before it is exported to other countries. Another point to which Mr. Neogy has drawn my attention is with regard to the oil concessions. As Mr. Neogy knows, and as I believe other Members of the House know, there exists at present a moratorium on oil concession—moratorium on the granting of mining and prospecting licenses. That moratorium was introduced mainly because the Government of India did not deisre that various oil companies should dissipate or engage for their own prospecting purpose technical personnel which is so deficient in its supply in this country. That moratorium will last till the war and some time thereafter. Now, Sir, so far as the question of granting licenses is concerned, the matter, since the passing of the Government of India Act, is in the hands of the Provincial Governments ; but the Provincial Governments have been so far following the rules, that the Government of India have made under the 1919 Act under which this was a matter for the operation, the policy of what is called 'closed door' against non-British subjects. The rules framed by the Government of India lay down that a company before it can obtain such a license must show that it is a company which is Indian in its personnel or that the majority of the members of the Board are British subjects. I do not know whether Mr. Neogy had in mind the further question, namely, the distinction between Indian subjects and British subjects. I have no time to enter into that. All I can say is that this is a matter which is closely connected with another important matter, namely, the Provisions contained in sections III to 118 of the Government of India Act and which is being debated in the House on a separate Resolution. With regard to the question of coal, that again, as I said, will have its place in our new legislation. As my friend will understand, it is rather a difficult question. It covers matters such as mining, grading, marketing and utilisation of inferior coal. It will require a good deal of co-operation of the owners of mines and all those who are in the trade in order that our legislation may be fruitful. I may assure the House that we propose to take the matter up as part of our post-war policy.

I have said in a general way in the short time that is available to me what the policy of the Government of India is. I would say only this in conclusion—that an all—pervasive and dynamic mineral policy

would depend upon three circumstances. It would depend upon the industrial drive in the country. If there is industrialization, this country will undoubtedly have to undertake a more vigorous mineral policy than it has done in the past. Whether our mineral policy will be successful and will be used for the benefit of the many will also depend upon two other considerations, namely, the constitutional position, the distribution of authority between the Provinces and the Centre and the role the State is allowed to play in this matter. I believe I have said enough to enable the House to appreciate what the Government of India proposes to do in regard to a mineral policy for this country.

**An Honourable Member :** I move that the question be now put.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The question is that the question be now put :

(Several Honourable Members : 'No, no.')

I take it that the opinion of the House generally is that this motion should not be put.

**An Honourable Member :** You can adjourn the discussion.

**Mr. H. A. Satar H. Essak Sait** (West Coast and Nilgiris : Muhammadan) : Under the arrangement that has been arrived at and that has been circulated. (Mr. H. A. Sattar H. Essak Sait.) The time allotted to the Nationalist Party is over. It is a sort of guillotine. Now, the other Party must come in. It is not for the House now to express an opinion on it.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The position now is this that this cut motion cannot be put to the House.

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# 42

## * Labour Policy of Government of India

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Discussion will now be resumed on the cut motion moved by Mr. Joshi yesterday.

**Prof. N. G. Ranga :** Sir, myself and my Party wholeheartedly associate ourselves with the cut motion moved by Mr. Joshi.

**Some Honourable Members :** The question be now put.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The question is...

**Mr. H. A. Sathar H. Essak Sait** (West Coast and Nilgiris: Muhammadan): What about the Government's reply ?

**Mr. Deputy President** (Mr. Akhil Chandra Datta): I waited but did not find anybody getting up.

(At this stage, the Honourable Dr. B. R. Ambedkar was seen to rise in his seat).

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Does the Honourable Member want to speak ?

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Yes.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The House is impatient.

**The Honourable Dr. B. R. Ambedkar :** I will try to keep my patience. I will promise that.

In the course of the observation which Mr. Joshi made yesterday in support of his cut motion, he levelled certain charges against the Labour Department. At the conclusion he not only stated that the Labour Department had failed in dealing adequately with the duties which are cast upon it to conserve and protect the interests of the workers but he also ended by saying, which I thought was a somewhat extravagant observation, that the Labour Department had not even sympathy for

*Discussion on Demand No. 23 of the Labour Department. Legislative Assembly Debates (Central), Vol. II, 13th March 1945, pp. 1456-62.

the worker. Sir, the speech delivered by my Honourable friend was delivered by him in a more or less telegraphic fashion, omitting prepositions, participles, conjuctions and disjunctions and certainly did not advance any detailed arguments in support of his conclusions and I therefore feel at a certain disadvantage in dealing with his cut motion. I however propose to do my best to meet his charges.

Sir, the first charge that he levelled against the Labour Department was with respect to dearness allowance. His first accusation was that the dearness allowance granted by the Government of India was not adequate and the second ground was, if I understood him correctly, that in the scheme of dearness allowance sanctioned by the Government of India there was no kind of uniformity. With regard to the first part, I think Mr. Joshi will agree that the notions of adequacy must necessarily differ. It will be difficult to find two people who could agree on the exact quantitative measurement of what adequate dearness allowance would mean and therefore I do not wish to enter upon that aspect of the case. What however I would like to draw the attention of the Honourable House to is that the Government of India has always been taking considerable interest in the matter of the dearness allowance and has been watching the situation ; that it has from time to time taken steps in order to increase dearness allowance is beyond question. To give only a few facts to the House, I think it will be recalled that the first dearness allowance was given in August 1942. It was thereafter increased in January 1943. It was further increased in June 1943. (An Honourable Member: What was the amount of dearness allowance in 1942 ?") I really have no time to go into details and I hope the Honourable Member will let me proceed. It was further increased in March 1944. We have not only increased dearness allowance but we have also from time to time increased the higher limits of the workers who should be entitled to get dearness allowance. On the first occasion, when dearness allowance was given the highest limit fixed was 100 to 120. On the third occasion, it was raised to 150 and on the fourth occasion it was raised to 250. I may tell the House that the Government of India is most actively considering the question of further increased in dearness allowance and I hope and trust that before long the decision of the Government of India in this matter will be announced.

With regard to the question of want of uniformity, I will very readily admit that there is no uniformity, that different classes of employees of the Government of India are paid at different rates. But, Sir, the question I would like to ask is—who is responsible for this want of uniformity. I have no hesitation in saying that if anybody is responsible—for the want of uniformity in dearness allowance it is Mr. Joshi himself.

**Mr. N. M. Joshi :** Why ? I am not the Government.

**The Honourable Dr. B. R. Ambedkar :** When I say 'My Joshi' I mean the whole of the Labour organisation. It is they who are responsible for this want of uniformity. What has happened in the matter of the grant of dearness allowance is this. You have got different sections in the labour world. You have got a body like the Railwaymen's Federation, a body like the Posts and Telegraph Union, like the Textile Union and so on, and there are lot of other people among the working classes who have practically next to no organisation. I think Mr. Joshi will agree that the policy followed by most of these labour organisations is really nothing else but a policy of organised loot, the first man trying to take whatever he can from the Government of India, leaving the rest of the people uncared for. Here is the Railwaymen's Federation which meets the Railway Board, uses its power-politics and compels the Railway Board to grant the highest degree of dearness allowance. Then comes the Posts and Telegraph Union. They wait upon my Honourable friend in charge of that department. They threaten him with strike. They tell him that they are the most essential part of the service to the country and they eke out from him something which they think is best for themselves. The rest of the people have nobody to look after their cause and I have certainly not seen any move on the part of what are called the All-India Trade Union Congress or the All-India Labour Federation to come together and work out a policy which could be applied uniformly to all the working classes and to the men in the service of the Government.

**Mr. N. M. Joshi :** Is it not the duty of the Government of India to formulate a uniform policy ?

**The Honourable Dr. B. R. Ambedkar :** Yes, certainly, if we are left free to do so. But every time a section of the labour world comes

up and uses its dagger and says "We shall not work and we shall go on strike unless you give us this or that, the Government are certainly very helpless in the matter. (An Honourable Member "Why don't you meet together?") Then Mr. Joshi referred to want of attention lo unemployment caused by involuntary circumstances. If I followed him correctly, he referred in somewhat contemptuous terms to the circular issued by the Central Government to the Provinces and to the employers telling them that it was the view of the Government of India that whenever there was any involuntary unemployment due to shortage of coal or shortage of raw material, the employers should pay certain compensation to their employees. In our letter to the Provincial Governments, we had informed them that the Government of India was prepared for a certain scale of payment to be made to the workers during this period of unemployment. We had told them that they should pay 75 per cent. of the ordinary rate of pay for the first fortnight and for the second fortnight, they should pay 50 per cent. of the wages, that the period for which this benefit was to be payable was one month and that the waiting period should be seven months. Mr. Joshi ended by saying that all that the Government of India had taken no further step in order to see that these benefits were actually made payable. Now, Sir, I should like to point out that if Mr. Joshi had read the letter that we circulated to the Provincial Governments and to employers, he would have seen that we had also made some definite proposals with regard to meeting the cost of this involuntary unemployment. In the circular letter sent out, we had stated that the cost of these benefits paid to workmen for involuntary unemployment would be admissible as a revenue expenditure for income-tax and for E.P.T. purposes. Obviously, then, if I may say so, this was a special clause in the letter and we did not think anything more was necessary. There is in addition to that Rule 81-A of the Defence of India Rules, under which it is perfectly open to workers who have been thrown out of employment by reason of these circumstances to apply to the Provincial Governments for the purpose of submitting the issue to arbitration. I am glad to say that the matter is now being pursued in that direction. As Honourable Members are aware, there is a case of arbitration going on between the employers in Ahmedabad and the workers there on this issue.

The third point which Mr. Joshi mentioned was connected with workmen's compensation. I was not able to get at exactly the gravamen of his charge as to what was the deficiency in the position as it existed in this country and what exactly he wanted me to do. What I got from him was that he thought that compensation was not adequate. Now, the House will recall that our definition of wages in the Workmen's Compensation Act is a very wide one. It not only includes money wages, but it also includes everything that is capable of being estimated in terms of money. From this it will be clear that wherever there is a case of compensation to workman, he is not only entitled to get compensation on the basis of his money wages, but he is also entitled to get compensation on his money wages plus dearness allowance. Mr. Joshi mentioned the further fact that while in Great Britain the law has been altered, we have done nothing of the kind in this country. He said that during the war the benefits payable to workmen under the Workmen's Compensation Act in England have been enhanced. I have looked up the matter and the position is really this. I am sorry to say that Mr. Joshi has not really understood what the difference is. As Honourable Members of the House will be aware, the English law makes payment under Workmen's Compensation periodical, while in India our payments are mostly lump sum payments. This has a very important effect. In the case of lump sum compensation a workman receives his payment and he is out of the picture, nobody has any continuing liability about him, either his employers or the Government. But in cases where the liability to pay is a continuous liability by reason of the fact that the benefit extends for a period, obviously the liability is continued on the employer, and just as an employer is liable to pay for instance dearness allowance to a workman, who is in employment, in the same way, an employer is also required in English law to pay enhanced compensation by reason of the fact that payment being periodical the liability to pay continues. If it was the desire of the House that our system of Workmen's compensation should also be so altered that instead of lump sum to a worker, we should pay him periodical payment either for life or to his children until the time that they come of age, no doubt the case that has been in England will also become operative in this country.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): It is the desire of the House—not a ruling from the Chair-that you should be brief.

It is the desire of the House that the next motion should be reached. It is for you to consider.

**Sir Cowasjee Jehangir :** No, Sir, it is not the desire of the House, at any rate I wish to hear him.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Order, order.

**Sir Cowasjee Jehangir :** It is not the desire of the House, Sir, You speak in the name of the House, Sir. I say so far as this part of the House is concerned, we desire to hear him.

**Dr. P. N. Banerjea :** There are other Honourable Members who desire that he should conclude his speech.

**Sir Cowasjee Jehangir :** But we want to hear him.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): You do not constitute the whole House.

**Mr. Abdul Qaiyum :** That is right.

**The Honourable Sir Sultan Ahmed :** After all, Sir, this side of the House wants to hear him.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Where is the trouble ? I am telling over and over again that it is not a ruling from the Chair. It is only a request from the Chair to the Honourable Member, and it is for him to decide whether he wishes to comply with it or not.

**The Honourable Dr. B. R. Ambedkar :** Sir, the next point which Mr. Joshi made was with regard to Technical Personnel Ordinance. He said that this Technical Personnel Ordinance has in it the principle of inequality of treatment between employer and the employees. The point that is sought to be made out there was that under the Technical Personnel Ordinance, an employee is not free to resign from his employment, while under the same Ordinance an employer is free to discharge an employee. Sir, I should like to state the true position as may be found from a reading of this Ordinance. The true position is this : that an employee is not required to obtain permission of his employer if he wants to resign. What is required by the Ordinance is that he should ask permission of the Tribunal if he wants to resign. On that point, I think Mr. Joshi is somewhat misinformed. Then, Sir, with regard to the power of the employer to discharge, the position again is this. That, as a rule, he is not allowed to discharge or dismiss an employee unless he has obtained permission of the Tribunal. To that there is undoubtedly one exception and that exception is that in case

of insubordination of misconduct which calls for disciplinary action the employer may dismiss his employee without obtaining the permission of the tribunal. To that there is undoubtedly one exception and that exception is that in case of insubordination or misconduct which calls for disciplinary action the employer may dismiss his employee without obtaining the permission of the tribunal. Now, Sir, I do not think that this particular provision which permits an employer to get rid of an employee who has misconducted himself or who is insubordinate can be a ground for complaint.

**N. M. Joshi:** Who is to judge ?

**The Honourable Dr. B. R. Ambedkar :** I should like to ask Mr. Joshi, who judges in ordinary cases where the Tribunal does not become operative ? In the way in which our industry is organised it is the employer who has rightly or wrongly the right to dismiss a worker whom he thinks is of no service to him. Therefore I think there is no point in that. But what I wanted to inform the House, and Mr. Joshi particularly, is that in order that there may be no abuse of this provision we have amended the Ordinance in two important particulars. The first thing that we did and that was done expressly at the desire of Mr. Joshi was to constitute advisory committees to be associated with the tribunal. On these advisory committees there are representatives of labour, and I have not the slightest doubt that with the help of these advisory committees, constituted as they are, they will be able to bring to the attention of the Tribunal such cases which they have reason to believe are due to victimisation.

The second and the most important step which has now been taken is this. We have now issued an order calling upon the Chairman of the Tribunal to place on record his reasons for not allowing an employee to resign or to quit his job. This is a provision which we have borrowed from the Criminal Procedure Code, so that at the centre of the Government it would be possible for us to know whether there were legitimate and proper grounds, for the Chairman of the Tribunal not permitting an employee to resign his job.

Sir, Mr. Joshi then proceeded to point out that the conditions in coal mines were not very satisfactory. I do not claim that the conditions are ideal but I do like to say that the Labour Department has taken definite and quite large steps to bring about better conditions in coal mines.

We have now been working our coal mines with two types of labour—local labour and the labour which we have imported from outside, principally from the Gorakhpur district of the U.P. I should like to give the house certain figures with regard to wages. The Gorakhpur labourer gets 12 annas per day as basic wage ; in addition to that he gets four annas of production bonus and he gets four annas of extra allowance for working underground. Then we give him food free, the cost of which comes to 14 annas per day per man.

**Mrs. Renuka Ray** (Nominated Non-Official): Sir, on a point of order, I think the Honourable Member has taken 25 minutes already.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): The Honourable Member in charge can be given more than 20 minutes.

**Mr. N. M. Joshi :** The rule is 20 minutes.

**Mr. Deputy President** (Mr. Akhil Chandra Datta) : No ; 20 minutes or more if necessary.

**The Honourable Dr. B. R. Ambedkar :** As I said, Sir, apart from these wages the Gorakhpur labourer is given 14 annas per day for his food. He has free housing and free medical aid.

Coming to the other colliery labour, their wages stand as follows. There is an increase in cash wages of 50 per cent. over the pre-war rates which were 8 annas on the surface and 14 annas underground. Then he or she gets certain rations. The local colliery labourer gets 4 seers of foodgrains per worker at controlled rates for himself or herself and 4 seers for each adult dependent and 2 seers for each child between two and twelve years. In addition he or she gets one-fourth of the basic ration in cereals and dal at the concession rate of six seers to the rupee. Each worker also gets one seer of rice free of cost for each day of attendance. In addtion to that he gets cash benefits which are two annas per day of attendance to a worker who has no dependent, three annas to a worker with one dependent, five annas to one with an adult dependent and a child or children.

**Mr. Sri Prakasa :** Sir, on a point of order. So far as I know, the option to allow a Government member to speak for more than 20 minutes, to which you referred, was for the Member in charge and not for any Member of Government who might jump up and speak. In this case the Member in charge is the Finance Member whose motion is before the House. It is not the Labour Member's motion.

**Mr. Sami Vancatachelam Chetty** (Madras : Indian Commerce): Sir, I move that the question be now put.

**Several Honourable Members :** The question may now be put.

**The Honourable Dr. B. R. Ambedkar :** Sir, I cannot be disturbed in this fashion.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Order, order. Closure motion can be moved only after the speech is finished. I have done all that I possibly could to help the Opposition with regard to the next motion, but I have no option now.

**Mr. Abdul Qaiyum :** Sir, on a point of order, the Government Member can speak for 20 minutes or more. But the point is, is it to be left to the sweet will of the Government Member himself to spin out his speech to inordinate lengths ? Or is it for the Chair to decide whether the Honourable Member has had sufficient time or not ? I contend that this power lies solely with the Chair and the Government Member cannot be allowed to spin out his speech to any length he likes. I contend he has had sufficient time.

**Mr. Deputy President** (Mr. Akhil Chandra Datta) : It is a very delicate thing for me to say that he has had enough time to speak or that he is taking time deliberately.

**Several Honourable Members :** The question may now be put.

**Mr. Sami Vencatachelam Chetty :** I rise to a point of order. Evidently the Chair is under the impression that I cannot move the motion for closure, but I think this time as the Honourable Member has resumed his seat I can move the closure motion.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): It is a convention that closure motion cannot be moved when a member is speaking. But the point is that the Honourable Member did not take his seat because he had finished his speech but because he was interrupted.

**The Honourable Dr. B. R. Ambedkar :** Then, Sir, Mr. Joshi said that the Labour Department was short-staffed. I am rather surprised how Mr. Joshi came to make that statement. I would like to inform the house about the staff which has been employed by the Labour Department quite recently. So far as the coal Mines are concerned, we have got the Chief Executive Officer for the Coal Mines Welfare Committee. He has got a Chief Welfare Officer under him and under

him are two inspectors—one of them is a lady welfare inspector. Then, Sir, we have a Director of Unskilled Labour Supply. He has under him three Deputy Directors and four Assistant Directors.

(At this stage, there was a loud uproar and thumping of the table on the Opposition Benches.)

**Mr. Abdul Qaiyum :** Your demand will be thrown out completely.

**The Honourable Dr. B. R. Ambedkar :** There are 20 officers under the Chief Inspector of Mines. Then, in addition to that we have now appointed a Chief Labour Commissioner at the Centre. Under him there are three Deputy Labour Commissioners who will be in charge of all the welfare activities.

Then, Sir, Mr. Joshi said that the Labour Department was always behind time in taking action, that delay was the rule. On this point what I would like to submit is this that in the circumstances in which we are carrying on the activities of the Labour Department delay is inevitable. We have got to consult the Provincial Governments, we have got to consult the organisers of labour, we have got to consult the employees. All this must necessarily take time, and therefore I do not think that there is any point in Mr. Joshi saying that we delay matters.

**Mr. N. M. Joshi:** Mr. Deputy President, I rise to a point of order. Is it your ruling that a Member of Government can speak at any length ? I want a ruling from the Chair definitely.....

**Mr. Deputy President** (Mr. Akhil Chandra Dalta)**:** I understand the Honourable Member has finished his speech.

**Mr. N. M. Joshi:** Sir, I want to save the time of the House, and therefore I ask leave of the House to withdraw my cut motion.

**The Honourable Dr. B. R. Ambedkar :** I would like to say one thing that if my Honourable friend, Mr. Joshi had told me that he was going to withdraw his cut motion, I would not have spoken as long as I have done.

**Mr. Deputy President** (Mr. Akhil Chandra Datta): Mr. Joshi was not bound to give any previous intimation to the Honourable Member to the effect that he was going to withdraw his cut motion.

The motion was, by leave of the assembly, withdrawn.

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# 43

## * Need for immediate re-imposition of ban on Employment of women underground in Mines

**Mrs. Renuka Ray** : Sir I move :

"That the demand under the head 'Department of Labour' be reduced by Rs. 100."

Sir, since August 1943 and December of the same year, when the ban on women working in underground mines was first withdrawn, there has been a consistent and insistent protest throughout the country against this undersirable action. The Government of India are fully aware that they have not only violated an international pledge but that they have considerably shocked and offended world opinion.

A year ago, at the request of all-India Women's Conference, I moved an adjournment motion asking that the ban be re-imposed immediately, and my Honourable friend, Mrs. Subbarayan, also spoke on a cut motion on labour during the Budget Session on the same subject, but the plea of the Honourable the Labour Member at that time was that this was a very temporary measure only to be carried on till the next harvesting season and not for the period of the war that arrangements were being made to remedy the labour shortage, and that once these arrangements went through the ban would be lifted. Sir, the attitude was that we were creating all this song and dance about nothing since the period was to be very short. A year has come and gone and today I think the attitude has become far more adamant. The Honourable the Labour Member has made it only to clear that he does not intend to reimpose that ban. The Honourable Members of this House are only too well aware of all the circumstances and realise fully, I am sure, that the arguments that have been put forward if they had come from a merciless type of capitalist employer, could have been understood.

* Legislative Assembly Debates (Central), Vol. II, 13th March 1945, pp. 1463-66.

[At this stage, Mr. President (The Honourable Sir Abdur Rahim) resumed the chair.]

But how they could have been ratified and even advanced by those who are primarily responsible for the protection and the well being of the common people it passes our comprehension.

Sir I should like to have the support of the House, of all Members— either on this side of the House or on the other,—of all Parties, including the Government, because this is a legitimate demand the infringing of which leads to the infringing of one of the most elementary canons of human decency.

Sir, I move.

**Mr. President** (The Honourable Sir Abdur Rahim): Cut motion moved:

> "That the demand under the head "Department of Labour" be reduced by Rs. 100."

**Some Honourable Members :** The question be now put.

**The Honourable Dr. B. R. Ambedkar :** With regard to this cut motion, it is difficult within the short time that is at my disposal to deal with it adequately. I would begin by saying that the last time when this question was debated on an adjournment motion, I made the statement that in taking the decision which the Government of India took I felt very unhappy about it. And I am still very unhappy about it. But the circumstances are such that it is impossible to take any other action than what we took. If the House will bear with me for a few minutes.....

**Some Honourable Members :** No, no.

**The Honourable Dr. B. R. Ambedkar :**.....I would tell the House the relevant circumstances which forced our hands in this matter.

I should like to begin by stating to the House what the position with regard to coal was ? In the year 1941 the total raising were 29,381,000 tons. In 1942 they fell to 29,270,000 and in 1943, the critical year in which we were forced to lift this ban, the total production of coal had fallen to 23,753,000. The House will at once realise that within a year there was a fall of something like 6,628,000 tons. It is unnecessary for me to dilate on the fact that coal is one of the most important raw materials both for industry as well as for the war effort. It was

impossible for any Government to sit with folded hands and to watch with indifference what might be called a tremendous fall in the production of so important a material as coal.

The next thing to which I should like to draw the attention of the House is the number of collieries that were opened during these years. In 1941 the total number of collieries in operation was 440. In 1942 they had risen to 670 and in 1943 the number had gone up to 706. In the ordinary course of circumstances, this enormous increase in the number of collieries in 1943 should have given us a larger quantity of coal than we actually had, but we were faced with this most curious phenomenon, namely, that on the one hand we had an increase of 366 collieries while on the other we had a fall of 6,628,000 tons of coal.

Let us look now to the labour position. In the year 1941 the total number of workers employed in coal mines was 2,11,601. In 1942 the total employed was 2,08,742. In 1943 it was 2,05,822. Comparing them with the number of mines opened, it will be seen that here again we had a very strange phenomenon, namely, that although the mines had increased, the labour force had decreased considerably. In fact the total decrease was 4,879. But this does not complete the story. In fact many have not realised what exactly was the crucial fact. That will be realized if the House were to know the number of coal cutters that are employed was 55,691. In 1942 they fell to 51,438, and in 1943 they fell to 45,306, a drop of 10,385. It is unnecessary for me to tell the House that the coal cutter is a prime mover in the process of producing coal. It is no use having a very large labour force round about the coal mines if you have not got a sufficient number of coal cutters. Coal cutting is the basic primary activity. This is the crux of whole problem, namely, that this important class of workmen had dwindled by no less a figure than, 10,385.

The reasons why these coal cutters had dropped are, of course, well known to the House. There was in the area where the coal mines are situated tremendous possibilities opened up by the various industrial establishments, by various military works, alternative employments, where wages were considerably higher than they were in the coal industry. The alternative employment had also this advantage, namely, that it was work on surface, which, other things being equal is undoubtedly for more attractive than work underground. The third

reason why the coal cutters preferred to quit the mines in favour of the other employment on the surface was because the coal cutter could take his wife along with him and get her earnings added to his own and thus increase the family earnings. If he worked in the mines he could not benefit of her earnings because of the ban. This was probably the greatest inducement which the coal cutter had in order to quit the mine and seek alternative employments that were within his reach.

Now, I have no doubt that nothing else would have helped to bring back the coal cutter except to allow his wife the opportunity to work with him and earn a wage. In my judgment nothing else could have enabled us to retrieve the position and get back the coal cutter into the coal mine, we have been told that we could have got back labour to the coal mines by increasing wages. On this point what I would like to say is this, that this is an argument which within limits has its force but that when carried to extremes turns out to be worse than useless. My friend Mr. Joshi yesterday referred to the fact that they paid enormous wages to coal miners in England and that it was the best paid industry. Undoubtedly so. But Mr. Joshi forgot the fact that even in England where they pay such enormous wages to the coal miners, there has been an enormous shortage of labour available for coal mines. Therefore, Sir, the point is this, that wages could not be that sovereign remedy which it has been suggested to be. In our judgment, and I think it was a correct judgment, the only method of retrieving a very bad and a very serious situation was to take the decision that we have taken.

There is another point which is urged against the decision the Government has taken. I should like to meet this point quite squarely because it is an important point the force of which I confess I have always felt-namely, that there is shortage of coal in England and in other countries but there women are not allowed to work underground, why should then we allow women to work underground in India ? Now, Sir, the answer to that is two-fold. In the first place in other countries like England, where women are not allowed to work underground, they have the alternative remedy of conscription. They can compel people and they do compel people to go and work in coal mines. I have very

recently read a report that in Belgium, the 1941 class recruits required to serve in the army instead of being sent to the front were sent by the Belgium Government to go into the coal mines. That power, as the House will realise is not available to us and therefore we could not follow that remedy.

Now, Sir, the other reply that I would like to give is this. In all those countries like Great Britain, South Africa and other countries, there has been no tradition of women being employed underground. Their women worked at one time but that was probably for 60 or 70 years before. I appeal to the House to take a realistic view of this matter. In our own country is it not a fact that up to 1937 women did work in coal mines ? Is it not a fact that women in this country were working in coal mines till eight years ago ? Can anybody in India say as people in England say that our women have ceased to work underground for a century and that therefore this is a new departure ?

The Honourable lady who moved the cut motion, I think, has forgotten what was the view of the All-India Women's Conference in 1934. I should like to explain it to the House. The Government of India had taken certain steps practically from 1929 with a view to close the employment of women underground and, as the House will remember, they had laid down a proportion, a dwindling proportion, so that according to that programme women would have ceased to work in coal mines in 1937. This was long before there was any talk about a convention. What was the attitude of the All-India Women's Conference ? I find that this matter was taken up for consideration by the All-India Women's Conference in their session held on the 26th December, 1934. According to the report which I have in my hand, (Interruption by Mrs. Renuka Ray.) Please do not disturb me. The All-India Women's Conference set up a Committee to consider this question and I would like to read only two short sentences, which contain the view that the All-India Women's Conference took of the action of the Government of India. Sir, I will read from page 53, The report first gives the advantages and then gives the disadvantages. The report (I should like to tell the House that the lady who has moved the motion was a member of this committee appointed by the All-India Women's Conference)—begins by saying :

> " Our impression about the effect of the elimination of women from underground work is that it is on the whole not suited to the conditions in which the miners live. "

Then, Sir, they conclude by saying :

> " If these women are removed from underground work in the present condition, the distress will be so great in the miners' homes that it will far outweigh the evils of allowing them underground. "

(Interruption by Mrs. Renuka Ray.)

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is not giving way.

**The Honourable Dr. B. R. Ambedkar :** Sir, it is true that when this matter was considered by the All-India Women's Conference at their session held in 1935 they came to the conclusion that they would support the International Convention which was passed, in spite of the fact that they saw grave objections to the course pursued by the Government of India. Now, Sir, I claim that this view that the All-India Women's Conference took up in 1935 which was so different from its view expressed in 1934 was due to the passing of the Convention and I am sure that if in 1935 the Convention had not been passed, the All-India Women's Conference would have continued to agitate against the decision of the Government of India to eliminate women from coal mines. I do not want to say that there are any sinister motives for the change of front on the part of the All-India Women's Conference in this matter but I would like to say that I am not prepared to believe that within the ten years that have elapsed there has been such a revolution in the moral and political conscience of the people of this country that they are not prepared to tolerate the action which will be annulled as soon as the emergency vanishes.

Sir, I have been told that after all, the number of women employed in coal mines is only 15,000 and that they have not been able to produce more coal. Why, then, is it that the Government of India persist in keeping these 15,000 women underground ? The answer to that question is a very simple one. In the first place……

**Mr. Sami Vencatachelam Chetty :** May I ask if the Honourable the Labour Member would give an assurance, a firm assurance, that he will continue to employ them whatever might be the public opinion ?

**The Honourable Dr. B. R. Ambedkar :** If my Honourable friend has such a wicked opinion about me, I cannot help him. He is quite entitled to have whatever opinion he has about me and I am free to

have my own opinion about him. I do not think we ought to exchange them on the floor of the House.

The question has been asked as to why we are keeping these women underground ? There arc three reasons for it. First of all, it has got to be realised that in the situation in which we are placed the woman underground cannot be treated as a single unit by herself. She is a potential. If she goes.....

**Mr. President** (The Honourable Sir Abdur Rahim) **:** The Honouable Member's time is up.

**The Honourable Dr. B. R. Ambedkar :** I have not spoken for more than 20 minutes.

The first consequence will be that if she leaves the coal mine, the coal cutter will also leave the coal mine and there would be a further deterioration in the situation. The second consequence will be that if she does not work, there will be more absenteeism in the coal mines. And thirdly that there would be a further reduction in the number of coal cutters because some cutters will have to do the work of loaders, a work which women now do. As a matter of fact, the argument that has been sometimes urged that the women have not been able to produce more coal is not correct and I would like to draw the attention of the House.....

**Several Honourable Members :** The Honourable Member's time is up.

**The Honourable Dr. B. R. Ambedkar :** As I said, we have no intention to keep women underground for a minute longer than is absolutely necessary. As the House is aware, we have taken several measures in order to meet the situation. We have imported Gorakhpur labour, we have imported machinery, and we have done several other things.

(It being Five of the Clock).

**Mr. President** (The Honourable Sir Abudr Rahim): The question is:

> " That the demand under the head 'Department of Labour' be reduced by Rs. 100."

The motion was adopted.

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# 44

## * Department of Labour
### (Demand for Supplementary Grant in respect of)

**The Honourable Sir Jeremy Raisman :** Sir, I move :

"That a supplementary sum not exceeding Rs. 2,40,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1945 in respect of 'Department of Labour'."

**Mr. Chairman** (Syed Ghulam Bhik Nairang): Motion Moved :

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**The Honourable Dr. B. R. Ambedkar** (Labour Member): As my friend Prof. Ranga probably knows, last year the Government of India imposed a cess on coal, called the Coal Mines Welfare Cess which is levied at the rate of 4 annas per ton on coal produced. It was with regard to the administration of this coal fund that the Coal Mines Welfare Officer was appointed. The Coal Mines Welfare Fund is administered by a committee. The committee is constituted of equal representatives of employers, equal representatives of workers in coal mines, representatives of the Provincial governments, namely, of Bihar and Bengal and is presided over by the Secretary of the Labour Department, as the Chairman. The Committee is more or less an autonomous body. It has its own budget which is prepared by the Coal Commissioner. It is submitted to the Committee and the Coal Mines Welfare Commissioner is the executive authority over this expenditure. All questions of welfare, for instance, such as malaria, water supply, medicine and other matters relating to coal welfare are considered by this Committee.

**Pandit Lakshmi Kanta Maitra :** Do you exercise any control over it in any way ?

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* Legislative Assembly Debates (Central), Vol. III, 27th March 1945, pp. 2138-41.

**The Honourable Dr. B. R. Ambedkar :** Oh, yes. I exercise control, because the secretary of the Labour Department is the Chairman. The budget comes to us for purposes of consideration. When it is passed, it is sent back and referred to the committee for further amendment.

With regard to the question of the Labour Commissioner, I think my friend Professor Ranga will know that all Provincial Governments have got Labour Commissioners. Under them, they have their own conciliation officers and other officers looking after labour. It was felt in the Government of India that as the Government of India has also got certain undertakings for which it is responsible, it was desirable that the Government of India should also have a similar organisation under its control to look after the welfare of workers engaged in these Central undertakings and consequently quite recently we have established this organisation. At the head of the organisation is an officer called the Chief Labour Commissioner with the Government of India. The rest of India is divided into three different areas and for each area there will be one Deputy Labour Commissioner. Prof. Ranga, I think, would like to know that we have taken advantage of this new organisation in order to amalgamate the work of Central undertakings along with the work which was originally done separately by the Conciliation Officer (Railways) and the Supervisor of Railway labour. All this has now beeen amalgamated and centralised. The Labour Welfare Officers who were working individually in different areas and were reporting directly to the Government of India will now be under these different Labour Commissioners. Similarly, the Railway Inspectors who were also working separately under the Railway Conciliation Officer and doing the work of checking up the Payment of Wages Act and the hours of labour are also now being brought under the new scheme and we have made a consolidated scheme.

With regard to the point relating to the Labour Investigation Committee, I think it will be recalled that last year or rather the year before that in 1943, the Tripartite Labour Conference passed a resolution that the Government of India should undertake social security measures on the lines of the Beveridge report. It was then felt that before any such scheme could be formulated, it would be necessary to have a fact finding committee which would investigate all questions, such as housing, wages, sanitary conditions

and other data affecting the welfare of the workers, and that after the facts were found by the Committee, the Government of India should have another Committee in order to formulate such social security measures as can be based upon the data that were found by this Investigation Committee. This Investigation committee has now been working for nearly six or seven months and its report is promised sometime in June or July next. After the report is received, measures will be taken to constitute the second part of the enquiry and these facts will be placed before them according to the decision of the Tripartite Conference. The second counter-part of this Investigation Committee would be a committee represented by 'employers, employees and members of Provincial Governments'.

With regard to the other question, namely, unskilled labour supply, the position is this. It was found out that various contractors were competing among themselves and paying much higher wages than what the market rate permitted in order to snatch away labour to their own contracts and to leave other contractors high and dry. The result was that while there was a superfluity of labour in some parts, there was great scarcity of labour in other parts where military works found it extremely difficult to find the necessary amount of labour. Consequently the Government of India decided that it was necessary to ration man-power and therefore the first step that they took was to appoint this committee which is known as Unskilled Labour Supply Committee. To this Committee, every contractor has to make an application, if he wants to take away labour from an area where he is not working and it is only on the certificate given by the Supply Committee that he can go to some other area to tap labour from that area. There are various stations where these labour depots are kept. At the head is a contractor who manages this scheme. I cannot at this stage give my Honourable friend all the details under the scheme. But if he is more interested in the matter, he can put down a short notice question which I am prepared to accept and give information on this subject.

**Shrimati K. Radha Bai Subbarayan** (Madura and Ramnad *cum* Tinnevelly : Non-Muhammadan Rural): Sir, I should like first to thank my Honourable friend lor the long statement he has made and the information he has supplied to Prof. Ranga and his colleagues. But I think he has missed one essential question and that is whether the

Coal Commissioner will consider the question of reimposing the ban on employment of women underground.

**The Honourable Dr. B. R. Ambedkar :** I am sure that is not his function.

**Shrimati K. Radha Bai Subbarayan :** I should like to know whether the Coal Commissioner or the Committee will consider whether under labour conditions prevailing now in mines, women should be permitted to continue to work underground any longer and whether it is not injurious to the health of women to do such work in mines.

**The Honourable Dr. B. R. Ambedkar :** That will not be **a** matter within their purview.

**Mr. Abdul Qaiyum :** Then, what is the use of having them ?

**Mr. N.M. Joshi** (Nominated Non-official): As I envisage, the function of this committee, when it was appointed, was to find out facts and certainly the Committee will find out facts regarding the question of employing women underground, and every question……

**The Honourable Dr. B. R. Ambedkar :** I understood Shrimati Radhabai Subbarayan to refer to the Coal Commissioner and his work.

**Shrimati K. Radhabai Subbarayan :** And also to the committee to which my Honourable friend referred.

**The Honourable Dr. B. R. Ambedkar:** Yes, they might.

**Mr. N.M. Joshi** : That is the view I take that the Committee will consider every question.

**The Honourable Dr. B. R. Ambedkar :** I thought she was referring only to the Coal Commissioner.

**Mr. N.M. Joshi** : Including the removal of the ban on the employment of women and all questions concerning labour in all fields. I therefore feel that this money should be voted.

**Mr. Chairman** (Syed Ghulam Bhik Nairang): The question is:

> "That a supplementary sum not exceeding Rs. 2,40,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1945 in respect of' 'Department of Labour ' ".

The motion was adopted.

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# 45

## * The Mines Maternity Benefit (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Mr. Deputy President, I move :

> "That the Bill further to amend the Mines Maternity—Benefit Act 1941, be referred to a select Committee consisting of Mr. M. Ananthasayanam Ayyangar, Prof. N. G. Ranga, Shri K.B. Jinaraja Ilegde, Maulana Zafar Ali Khan, Sir Syed Raza Ali, Mr. Amarcndra Nath Chattopadhyaya, Mr. N. M. Joshi, Rao Bahadur N. Siva Raj, Mr. II. G. Stokes, Mr. S. C. Joshi and the Mover with instructions to report on Monday, the 2nd April, 1945, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

**Mr. Badri Dutt Pande** (Rohilkhand and Kumaon Divisions : Non-Muhammadan Rural): Why is not there a lady Member ?

**Mr. T. S. Avinashilingam Chettiar** (Salem and Coimbatore cum North Arcot Non-Muhammadan Rural): I suggest Mrs. Subbarayan.

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend might move an amendment at a later stage and I will deal with it.

As the House is aware, we have already got the Miners Maternity Benefit Act, which was passed in the year 1941. This Bill seeks to amend that Act and the reasons why this amendment has become necessary can be very briefly stated.

When the Act of 1941 was passed it was intended to cover cases of maternity benefit for women working on surface. We had no such case as we have now of women working underground. Unfortunately, for the reasons which I have explained to the House on more than one occasion ; we had to permit women to work underground in coal mines. As I have stated that provision is of a temporary character and I hope and trust that Government will be able to rcimpose the ban very soon. But notwithstanding the fact that the lifting of the ban is of a temporary character, it is felt that in view of the criticisms made in this house as well as outside, it is necessary to amend the Act in order to provide

* Legislative Assembly Debates (Central), Vol. Ill, 29th March 1945, pp. 2265-66.

for cases of pregnant women working underground. It is to give some benefit to the women working underground that this amendment is intended.

The provisions of this Bill are mainly two. As it is, there is already in the Act a provision which prohibits women working after delivery for four weeks. We now propose to add a provision prohibiting women working underground before confinement. That period will be a period often weeks, so that under the present Bill no woman would be allowed to work underground for ten weeks before her confinement. Similarly there is a provision for the benefit to be given to her. That benefit will be at the rate of twelve annas per day for fourteen weeks in all-ten weeks before confinement and four weeks after confinement. The qualifying condition for enabling her to earn the benefit is 90 days work underground withnin a period of six months. These are mainly the provisions of this Bill.

Sir, I have noticed that there arc cerrtain amendments which have been tabled and I might tell the House that I have also thought of certain amendments which I want to move on behalf of the Government. But as the time is very short and as the matter is urgent, I think the interest of everybody concerned would be served, if the Bill were forthwith sent to the Select Committee. So that the amendments that I have in mind and the amendments that have been tabled could be considered round the table with mutual give and take. It is because of this proposal, viz., to refer the Bill to the select Committee (which was not my original intention) that I do not propose to dilate at any length on this Bill. With these observations I move.

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* **The Honourable Dr. B. R. Ambedkar :** Sir, I do not think I need say much in reply to what has been said by the Honourable Members who have taken part in this discussion. One thing however I would like to say, namely, that I appreciate very much the spirit of the speakers which shows that the two questions, namely, the question of the women working underground and the questions arising out of this Bill should be separated and I am glad to say that they have been separated by the speakers who spoke on the Bill. They have expressed their opinion

* Legislative Assembly Debates (Central), Vol. III, 29th March, 1945, p. 2270.

on the question of the merits of allowing women to work underground. The views of the Government have already been expressed and I have no quarrel with those who differ from Government but I am glad to say that all those who have spoken have realised the necessity of the Bill I have brought forward and I hope I shall continue to have the co-operation which they have exhibited in this house now.

**Mr. Deputy President** (Mr. Akhil Chandra Datta) : The question is:

> " That the Bill further to amend the Mines Maternity Benefit Act, 1941, be referred to a Select Committee consisting of Mr. M. An anthasayanam Ayyangar, Prof. N. G. Ranga, Shri K. B. Jinaraja Hegde, Maulana Zafar Ali Khan, Sir Sycd Raza Ali, Mr. Amarendra Nath Chattopadhyaya, Mr. N. M. Joshi, Rao Bahadur N. Siva Raj, Mr. H. G. Stokes, Mr. S. C. Joshi and the Mover with instructions to report on Monday, the 2nd April, 1945, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

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# 46

## * The Factories (Second Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move :

> "That the Bill further to amend the Factories Act, 1934, as reported by the Select Committee, be taken into consideration".

Sir, the report of the Select Committee has been before the House for quite a long time. I have no doubt that Honourable Members who take interest in this subject have read and digested what the Select Committee has to say. I will therefore do no more than to draw attention of the House to some of the fundamental changes which the Select Committee has made in the Bill as introduced by me. Sir, the select Committee has altogether made five important and fundamental changes. The first change that the Select Committee has made is to save the rights to any holidays with pay that might accrue to a workman, otherwise than under the Act, such as holidays that may be permissible under other enactments or holidays that may be permissible under an award or an agreement or a contract of service. That provision did not exist in the original Bill. But it has now been introduced by the addition of sub-clause (2) to section 49-A. The second change which the select committee has made is to extend the benefit of the holidays with pay to children which again was not found in the original Bill as it was introduced to this House. Not only the Select Committee has extended the provisions of the Bill to a child but the holidays themselves have been extended in number. For a workman the holidays are only seven days. But to a child, the holidays shall be 14 days. Honourable members will find that in the new amendment to section 49-B. Then, Sir, the House will remember that when the Bill was introduced it did not contain any provisions to cover cases of workman who was discharged

* Legislative Assembly Debates (Central), Vol. III, 29th March 1945, pp. 2270-71.

before he had earned his holiday or had resigned his post and therefore did not get his holiday. I said that that was a matter which might be left to be subsequently decided in such a manner as we thought best. The Select Committee thought that it was so important a case that provision ought to be introduced in the Bill and accordingly a new provision has been introduced.

Another new principle which has been introduced in the Bill is the power given to the Inspector to act on behalf of a worker who has not been able to get his holidays or has not been able to get the pay which he is entitled to obtain as a result of the holiday. The Select Committee realised that it was no use leaving the worker to his resources in order to prosecute his employer either criminally or civilly in order to secuer the benefit which the Act gives him and which the employer has failed to give him. Therefore it was the duty of the State to take upon itself the responsibility of seeing that these benefits were secured to the workmen. This has now been done by the conferment of the power on the Inspector to act on behalf of a worker.

Another important change which has been made by the select Committee is with regard to the making of the rules. Honourable members will recollect that in the original Bill, the power for making rules under the Act in order to give effect to the provisions was left to the provinces. Now, it was felt in the Select Committee that if the rule-making power was left to the provinces the different provinces might make different set of rules, and consequently there might be variety of provisions under the same Act. That undoubtedly would have very serious consequences on the different industries. One industry in one province may be subjected to one set of rules, a similar industry in another province may be subjected to a different set of rules and it would introduce a very undesirable clement in the competitive character of the industry taking India as a whole. The Select Committee therefore recommended that the Government of India should have the authority to give directions to the provinces in the matter of making rules so that the desire or the object of securing uniformity in these rules would be achieved. These are, Sir, some of the fundamental principles which have been incorporated in the Bill as a result of the deliberations in the Select Committee. The rest of the provisions are

more or less as they were in the original Bill and call for no comment. Sir, I move.

**Mr. Deputy President** (Mr. Akhil Chandara Datta): Motion moved.

> " That the Bill further to amend the Factories Act, 1934, as reported by the Select Committee, be taken into consideration."

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* **The Honourable Dr. B. R. Ambedkar :** I do not think it is necessary for me to deal with each and every point that has been raised by Honourable Members who have spoken on this motion, particularly because I find that every point which has been made by honourable Members is covered by an amendment. Consequently there will be a duplication of debate, which I do not propose to undertake. I will say what I have to say on the various points when the appropriate amendments are moved.

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† **The Honourable Dr. B.R. Ambedkar** : Sir, I am afraid it is not possible for me to accept either of the amendments which have been proposed by Mr. Joshi or Prof. Ranga. I quite understand that a workman who has put in the requisite amount of service should be entitled to get his holidays irrespective of the consideration as to whether he has served one employer or more than one employer. But two facts have to be taken into consideration. The first is the question of administrative feasibility. I am quite satisfied that unless we have a sort of an insurance system where the payments to be made by employers are de-personalised and fastened upon some fund, it would not be possible to work the provisions, if I were to accept the amendments proposed by my Honourable friends. If, for instance, a scheme of health insurance were to come into operation, than we would have the basis of a system of cards, stamps and the other administrative machinery for insurance purposes, and then an amendment of the sort which has been moved would be possible to accept. But for the present, I am sorry to say that I cannot see any way to accept this amendment.

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* Legislative Assembly Debates (Central), Vol. III, 29th March 1945, p. 2276.

† *Ibid.,* p. 2280.

I should also like to submit that it was the desire of the House or of the Select Committee that a date should be fixed for the Bill to come into force. As my Honourable friends will recall, we had in the original Bill left the date for the operation of the Bill to the Provincial Governments. But we have departed from that procedure and we have now accepted the principle that this Bill itself should lay down the date on which it shall come into force; and the date as fixed in the Bill is the first day of January 1946. It is therefore quite clear that all administrative machinery that is necessary for the giving effect to this Bill must be brought into being within or before the 1st January, 1946 ; and I must confess my ultter inability to comprehend the possibility either of the Government of India or of the Provincial Governments being in a position to set into operation the machinery that would be necessary to give effect to the provisions contained in the two amendments. As I said, I have sympathy but the administrative difficulties are so great that I must at this stage oppose the amendment.

**Prof. N. G. Ranga :** May I make one suggestion, if it is agreeable to the Government-not otherwise ? In the first line, suppose we drop the words "or different managements" in the amendment proposed and merely say "or factories belonging to the same management" ?

***The Honourable Dr. B. R. Ambedkar :** I find difficulty in all that: I have paid attention to that.

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* **The Honourable Dr. B. R. Ambedkar** (Labour Member): Mr. President, I am not sure that those who have moved this amendment and supported it have much justification on their side. We always take as our standard measure the Conventions passed at the International Labour Conferences and the Honourable House will remember that the International Labour Conference in 1936, when it took up this question, fixed six days as the measure of holidays that ought to be allowed. Looking at the subject from that point of view, I am not prepared to accept nor can anybody say that the Bill as introduced falls short of the standard prescribed by the International Labour Conference. On my side I must also mention another difficulty. The Honourable House will

* Legislative Assembly Debates (Central), Vol. IV, 2nd April 1945, pp. 2315-16.

remember that this subject of labour legislation falls in the field of Concurrent Legislation. The administrative responsibility for carrrying out these measures entirely falls on the Provincial Governments, in which the executive authority for administration is vested by the Constitution. Having regard to that, there has been established a convention, viz., that as far as this Concurrent field of legislation goes, whatever measures are introduced, should have more or less the concurrence of the Provincial Governments. And I would like to tell the House that the period that is fixed in the Bill was fixed after consultation with the provinces. However, I am prepared to accept the amendment and I would very much like to state the reason which has prevailed upon me in order to accept this amendment. The reason which has prevailed upon me is the geographical reason. I realise that the centres of industry and the centres of population arc very vastly divided by long distances. A factory is situated in Bombay, the labourer lives either in the U. P. or C. P. and has to travel long distances in order to employ himself in a useful occupation. Having regard to this circumstances, viz., that he has to travel long distances, I think that perhaps a small departure may be made from the original proposal that stands in the Bill. It is therefore on that ground that I am prepared to accept this amendment. At the same time, I must stipulate one other condition. I find that there is another amendment standing in the name of Prof. Ranga and Mrs. Subbarayan, the object of which is to reintroduce the words "at least", which were omitted by the Select Committee. Now, the introduction of these words " at least" would create disharmony and I must say that I regard uniformity of principle in a matter of this kind to be of fundamental importance and my position therefore is that if those who have tabled this amendment will agree to drop it. I on my part, am prepared to accept the amendment for ten days.

**Prof. N. G. Ranga** (Guntur cum Nellore: Non-Muhammedan Rural): We are prepared to drop the other amendment, for the present.

**Mr. President** (The Honourable Sir Abdur Rahim): You are not going to press the motion ?

**Prof. N. G. Ranga :** Not the other amendment, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is :

> "That in clause 3 of the Bill, in sub-sections (I) and (2) of the proposed section 49B for the word 'seven' the word 'ten' be inserted".

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** There has to be one consequential amendment that in sub-clause (2) the word 'ten' shall be substituted for 'seven'.

**Mr. President** (The Honourable Sir Abdur Rahim) **:** I think the Honourable Member would do well to put down a proper amendment. That, I think, can be done afterwards.

**The Honourable Dr. B. R. Ambedkar :** At the end of sub-section (2) in the last line, the word 'ten' shall be substituted for 'seven'.

Mr. **President** (The Honourable Sir Abdur Rahim): I think there ought to be a formal amendment.

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* **The Honourable Dr. B. R. Ambedkar :** Sir, I regret I cannot accept this amendment. My Honourable friend, Mr. Inskip, stated that there was no definition of sickness. I wish we could define sickness ; I have searched for a definition in the Health Insurance Act, and I find that there is no definition of sickness for the simple reason that sickness cannot be defined. It is a matter of certification. If a medical person says that a certain person is sick, then everybody has got to accept that definition. If my Honourable friend's contention was that certificate should be defined in a proper manner, I could have understood his complaint. But on that ground I submit he has no ground for complaint, because we propose to make rules in which persons who will have the authority to certify will be properly laid down : their qualifications will be prescribed. Consequently the fear that doctors who have no practice and who generally live on giving false certificates will find no place in this, because the rules, I hope, will be so framed that that sort of contingency will be altogether eliminated. The difficulty I find in accepting this amendment is this : my Honourable friend says that certificates should not suffice for sickness but that the employer should be allowed to sit in judgment, even when a certificate has been obtained, whether, notwithstanding the certificate, he would grant leave or he would not grant leave. I must say that that is a position to which Government cannot be a party. Government cannot allow an employer to say that notwithstanding the certificate given by a doctor whose

* Legislative Assembly Debates (Central), Vol. IV, 2nd April 1945, p.2318.

qualifications are in accordance with the rules we have made, it must still be left a matter for the employer to decide. I think that would be placing too much authority in the hands of the employers ; and for this reason I am not disposed to accept this amendment.

Another thing my Honourable friend remarked is this, that we have fixed a limit of ninety days for all the three contingencies-sickness, accident and authorised leave. Consequently in practice any malingering on the part of the employee cannot be carried on indefinitely; because for the three contingencies we have fixed a limit of ninety days ; and if the limit of ninety days is exceeded, then he automatically becomes disqualified for getting the benefit under the Act. Having regard to these circumstances, I must oppose this amendment.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

> " That in clause 3 of the Bill, in the Explanation at the end of the proposed section 49B for the words ' sickness, accident or authorised leave' the words 'authorised leave granted on account of sickness, accident or for compassionate reasons' be substituted."

The motion was negatived.

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# 47

## * Mines Maternity Benefit (Amendment) Bill

**The Honourable Dr. B..R. Ambedkar** (Labour Member): Sir, I move:

> "That the Bill further to amend the Mines Maternity Benefit Act, 1941, as reported by the Select Committee, be taken into consideration."

Sir, the Bill, I must admit, has been considerably modified by the Select Committee. In view of that it is only proper that I should call the attention of the house to some of the important changes in the Bill which have been made by the Select Committee.

(At this stage, Mr. President (The honourable Sir Abdur Rahim) resumed the Chair.

The first change which the Select Committee has made is with regard to the period of prohibition of pregnant women on women working under-ground. The original Bill had provided that the prohibition should operate for ten weeks before confinement and for four weeks after confinement. The Select Committee has made no change in the period originally proposed, for prohibition before confinement. But with regard to the period of prohibition after confinement, the changes they have made are somewhat extensive. In the first place, the period of prohibition is extended from four weeks lo thirty-six weeks. This period of thirty-six weeks is broken up into two parts : There is a period of complete prohibition which is followed by a period of partial prohibition. The period of complete prohibition, is extended by the Select Committee from four weeks to twenty-six weeks. The period of partial prohibition covers ten weeks. The period of partial prohibition is again made subject to two different prescriptions dependent upon the existence or non-existence of a creche. During the period of partial prohibition, a woman is not to work underground for more than four hours if there is no creche, and, secondly, she is not to work

* Legislative Assembly Debates (Central) Vol. IV, 11th April 1945, pp. 2788-89.

underground for more than four hours at any time even if there is a creche. These are the changes made by the Select Committee with regard to the period of prohibition on work underground.

Coming to the question of maternity benefits to be paid to a woman working underground, the Select Committee has made the following changes; Originally the Bill had laid down two conditions which a woman working underground was required to satisfy before she became entitled to maternity benefit. Those conditions were, firstly, a minimum period of work extending to six months in a mine before confinement, and the second condition was minimum of 90 days work underground during such period of six months. The Select Committee has removed the first condition, namely the requisite period of six months of service in a mine, so that under the amended Bill all that a woman need do is to satisfy the condition of having worked for ninety days underground within the period of six months prior to delivery and she becomes entitled to maternity benefit.

The Select Committee has also made certain amendments with regard to the period of benefit. In the original Bill, the period of benefit was ten weeks before confinement and four weeks after confinement. The select Committee has changed the period of benefit after confinement from four weeks to six weeks. Siimilarly changes have been made in the amount of benefit. Originally the amount of benefit was eight annas per day. The select Committee has changed it to six rupees a week, which is a little less than fourteen annas a day. Then the whole of the period of benefit is now declared to be a period of authorised leave, so that during this period an employer is not entitled to dismiss a woman who comes under the present Bill.

Another important provision made by the Select Committee is to require that the medical examination of a woman entitled to benefit shall be by a woman doctor if the woman demands it, a provision which did not exist in the original Bill. I might also draw the attention of the House to the fact that during this period of thirty-six weeks of prohibition on work underground, a woman is free to work otherwise than on work underground during a period of thirty-two weeks and supplement her earnings, which was not provided in the original Bill. The only period during which she will not be free to work is four weeks after delivery. So that under the Amendment Bill, a woman is not only

entitled to get the maternity benefit of a woman working on the surface from eight to twelve annas. That is to say, she has also got an increase of fifty per cent over the previous benefit, admissible to her under the original Act.

These are some of the important changes which the Select Committee has made. As I have said the Bill has been very considerably altered by the Select Committee. All the same, Government do not propose to raise any difficulty with regard to the amendments and having regard to the peculiar circumstances of the case they arc quite prepared to accept the Bill as amended by the Select Committee.

Sir, I move :

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved :

> " That the Bill further to amend the Mines Maternity Benefit Act, 1941, as reported by the Select Committee, be taken into consideration."

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# 48

# * Health Insurance for Industrial Workers

### *Standing Labour Committee Discuss Adarkar Report*

Prof. Adarkar's Report on Health Insurance for Industrial Workers in India was discussed at the sixth meeting of the Standing Labour Committee which concluded in New Delhi on March 17. The Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India, presided. Mr. Stack and Mr. Rao of the I.L.O. also attended the meeting as visitors, and some comments made by them on the scheme were circulated.

The delegates, including those representing employers and workers, warmly appreciated Prof. Adarkar's Report and expressed their respective views on questions relating to medical and cash benefits, the qualifying or waiting periods, the type of treatment, medical organisation and State contribution. A number of delegates emphasised the importance of going ahead with the scheme as early as possible, and there was general agreement that in order to secure the benefits resulting from broadening the basis of the scheme it was advisable to extend its scope to all organised industries and perennial factories.

## Maternity Benefits

It was also agreed that the Centre should go ahead with the preparation of a scheme, and, if they found it possible to do so, they should include in this scheme maternity benefits and workmen's compensation. After the scheme was prepared, the Centre should consult provinces and the Employers' and Workers' Organisations and, after consideration of their replies, should introduce a Bill in the Legislative Assembly.

Another item on the agenda for the meeting was a proposal to change the constitution and functions of the Tripartite Labour Conference and

* Indian Information, April 15, 1945, p. 505.

the Standing Labour Committee with a view to classify these functions in two lists, one dealing with general subjects such as terms and conditions of employment, labour legislation, social security, etc., and the other with concrete questions relating to labour welfare and administration of labour laws.

In the *memorandum* placed before the Committee it was suggested that a Labour Welfare Committee should be set up to deal with functions in the second list, the intention being to secure through this Committee a body which would deal with the actual problems arising in the various industries, and to bring into such committee representatives of various important industries. The Labour Conference and its Standing Labour Committee should confine themselves to terms and conditions of employment, labour legislation, social security, etc., looked at on broad lines and from an all-India stand point. It was agreed that a sub-committee should be appointed to examine these proposals.

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# 49

# * War Work of National Service Labour Tribunals

## *Dr. B. R. Ambedkar's Tribute*

> "At a time when the war was going none too well, when India herself was threatened with invasion, we were confronted with a serious bottlneck in the supply of technical personnel urgently required for the fighting Services and our war industries. The National Service Labour Tribunals were set up under the stress of urgency. Technical man-power had to be mobilised with the utmost speed and because of our lack of experience our plans had necessarily to be somewhat hazy. The task was fraught with difficulties but its accomplishment is a great tribute to your efforts."

Thus observed the Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India, in his address to the Chairmen of National Service Labour Tribunals, who assembled in Simla on April 19 to discuss questions relating to technical training scheme, the National Service (Technical Personnel) Ordinance, and Employment Exchanges.

Continuing, the Labour Member said :

The Tribunals have directed nearly 15,000 technicians into national service. They have also exercised effective control over the movement of technical personnel. It was necessary to ask workmen to take up employment away from their homes or to prevent them from bettering their prospects by seeking employment elsewhere. In the United Kingdom such action is comparatively easy because conditions of employment are more or less standardised and the Ministry of Labour and National Service have a vast welfare organisation to watch the interests of a conscripted worker especially when he is required to go away from his home. The Tribunals in India were, however, placed in different circumstances, and on the whole it may be said that they have exercised their powers with commendable tact and restraint to the great

* Indian Information, May 15, 1945, pp. 639-40.

advantage of the war effort but without undue disregard to the interests of the workers.

There have been employers who have complained that the Tribunals have been unduly soft to the workers. On the other hand, there have been complaints that the Tribunals have been unduly harsh towards the workers. I have never tried to discourage these complaints cither from employers or workers because I have always believed that the careful consideration of complaints will enable Government to prescribe the right course of action. You will find therefore that on the one hand we are suggesting the tightening of control over the drift of labour regarding which there are still serious complaints in Calcutta. On the other hand, we are also requiring Tribunals to give closer attention to the conditions of employment of workers who arc directed into national service or prevented from bettering their employment.

## Control With Justice

I do not propose to enter into any of the details of the suggestions which will come for consideration in the subsequent meeting but I should like to impress upon you the fact that the war has imposed a very heavy strain upon the workers and that if we have, on account of the war, to impose a further sacrifice upon them, we should ensure that this is not done arbitrarily. Whatever the pressure from employers, the war emergency should not be the occasion for deteriorating labour conditions or lowering the dignity of labour.

In the United Kingdom vast powers are vested in the minister of Labour and National Service but they arc powers which can be exercised to an equal extent in both directions i.e., against the employer as much as against the worker. These powers have been used to bring employers and workers together so that there may be greater collaboration between them. It is this spirit of co-operation which I should like to sec inculcated in India and I am sure that it can be done if we exercise control with firmness but with full justice.

There is one other aspect of the work of the National Service Labour Tribunals that deserves notice. The recruitment for our training schemes in India and the United Kingdom has been entrusted to them and I should like to express my sincere appreciation of the care with which this task has been undertaken. But for this our training schemes could not have been a success.

In the case of the Bevin Training Scheme I know that the Ministry of Labour and National Service were particularly impressed by the excellent selection of the trainees who were sent to the United Kingdom. No doubt there were some black sheep among the Bevin trainees but considering the numbers that have been sent, we may congratulate ourselves that they were so very few in regard to whom it cannot be said that the time and money spent on their training was wasted. On the other hand, most of the returned Bevin trainees will undoubtedly be of great help in raising the standard of our skilled workers. They have also brought back with them the unique experience of a nation fully mobilised for total war. What can a country not achieve when it is thus organised and why should these achievements be confined to war alone ? Can we not extend them to the peace that we hope will follow shortly.

**Resettlement Machinery**

This brings me to the post-war issues which will confront us in no less bewildering a manner than the issues of war. The first and most importnt problem will be the resettlement of demobilised personnel and here I am thinking not only of the fighting Services but also of the large body of industrial workers engaged in war factories. No Government can leave the demobilised ex-service personnel and workers in war industries to their own fate during the transition from war to peace. Resettlement is a civil responsibility and Government have decided that it will fall on the Labour Department. Our resettlement proposals will be discussed with you. In the machinery that we hope to set up, the Chairman of the National Service Labour Tribunals will be called upon to play a very important part.

The problem of resettlement is one which has to be tackled by the Centre and the Provinces in the closest co-operation. In the Provinces the Chairman will be the head of the regional organisation. It will be his duty to maintain the closest contact with the organisation at the Centre and with the Departments of the Provincial Governments. Your duties will call for the highest degree of tact, energy and enterprise. I hope that in the discharge of these duties your contribution will be no less than in wartime.

## Efficient Employment Service

I need not enter into the details of our resettlement organisation but I should like to emphasise that in addition to a very necessary service for ex-service demobilised personnel, the main purpose of the organisation that we propose to set up is to lay the foundation of an efficient employment service in this country. The important feature of such a service is a co-ordinated system of Employment Exchanges. We have already set up a few of these Exchanges some of which have shown good results but it is clear that we must organise this machinery on a sounder basis. We require above all trained staff to run the Exchanges and suitable buildings to which workers and employers can come. In both respects our existing Exchanges have started with a very considerable handicap. So far as staff is concerned, we are proposing to inaugurate very shortly a training scheme for Managers and Assistant Managers. We hope that this training will enable newer Exchanges to be built up on the right lines.

The resettlement organisation will also have to concern itself with the training and re-conditioning of demobilised personnel and their welfare (follow-up) and will have to watch their interests in the new employment. Provision has also been made for publicity and canvassing. The details of the organisation will come before you for consideration and we shall also await suggestions from Provincial Governments.

## Task Of Great Magnitude

What is very important is that you. Gentlemen, should on your return to the Provinces discuss these proposals with the representatives of Provincial Governments and interest them in our scheme. We would like to avoid any misunderstanding as to its scope. If there are difficulties which you cannot resolve, we hope you will bring them to our notice and give us your own suggestions as to how they can be overcome. We have undertaken a task of great complexity and magnitude. We must therefore work together bearing in mind the higher interests that we have to serve.

I have taken much of your time and now, Gentlemen, before leaving you to your labours, I should like to wish you good speed and good luck.

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## *APPOINTMENT OF REGIONAL LABOUR COMMISSIONERS

Three Regional Labour Commissioners—Mr. D. G. Jadhav, Dr. Seth and Mr. Abu Talib—have been appointed by the Central Government at Bombay, Calcutta and Lahore respectively for administering their new machinery which has been set up to deal with industrial relations in industries and undertakings in the "central sphere." The organisation is under Mr. S. C. Joshi, the Central Government's Chief Labour Commissioner at the headquarters.

The new set-up also includes a Deputy Labour Commissioner at New Delhi, 9 Conciliation Officers and 24 Labour Inspectors (Central) located at various centres throughout India, and one Central Inspector of industrial canteens.

Industries falling in the " central sphere " are (1) all industrial establishments owned or controlled by the Government of India ; (2) Federal railways ; (3) mines and oilfields and (4) major ports.

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*Indian Information, August 15, 1945 p. 152.

# 50

## * Multi-purpose Development of Damodar Valley

### *Labour Member's Speech at Calcutta Conference*

> " The project (harnessing the waters of the Damodar River) is a welcome one to the Government of India. It very clearly shows a fine prospect of the control of the River, a prospect of controlling floods, of securing a fine area for perennial irrigation with resultant insurance against famine and a much needed supply of power. I am sure it will be more than welcome to the Governments of Bengal and Bihar if they realise what the project will mean to them and their people."

Thus observed the Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India, in his address to representatives of Bengal and Bihar Governments at a Conference held in Calcutta on August 23 to discuss the Preliminary Memorandum on the Damodar Valley Multipurpose Project. The session lasted two days, and the Labour Member presided.

Here is the full text of Dr. Ambedkar's speech :

"We are now meeting for the second lime to discuss the project for harnessing the waters of the Damodar River. As you will recall, our first meeting in this connection took place on January 3, 1945. We then considered the Report of the Damodar River Flood Enquiry Committee-appointed by the Government of Bengal in 1944.

"The issue before us was whether we should be content with damming the river for the purpose of stopping the flood only or whether we should make it a multi-purpose project so as to cover generation of electricity and the supply of water for irrigation and navigation also. The consensus of opinion at that Conference was that we should go in for the latter. Accordingly, the Conference decided to take the next step, namely to create machinery for collecting the necessary data to

* Indian Information, October 1, 1945, pp. 345-49.

draw up a multi-purpose scheme. On the part of the Government of India, I offered the fullest assistance of technical experts in carrying out this preliminary work.

"The experts have now drawn up, with the co-operation of the engineers from Bengal, a Preliminary Memorandum on the Unified Development of the Damodar River Valley. Copies of this Memorandum have already been in the hands of the Government of Bengal and Bihar.

"With regard to this Memorandum, I feel it my duty to say, and I am sure in this I am voicing your sentiments, that we are grateful to Mr. Voorduin for the preparation of this draft Memorandum and also to the ready co-operation which was offered to him by the engineering staff of the Bengal Government. Mr. Matthews, the Chairman of the Central Power Technical Board, has also given us the benefit of his advice, and at a later stage, I have no doubt, that we shall receive all the assistance from Mr. Khosla, the Chairman of the Waterways and Navigation Board.

"For the present we have before us now a very clear, a very comprehensive and a very essential survey of the full possibilities of the Damodar River Valley, accompanied by adeqauate data to enable us to take the next step with confidence.

"The reason why we have met today is to consider this Preliminary Memorandum and the points that arise out of it. These points are set in the agenda which is prepared for this meeting. The agenda contains a full list of matters arising out of the Preliminary Memorandum and which require immediate attention. As it has already been circulated to the Governments of Bengal and Bihar, it is unnecessary for me to go over it again. I shall, therefore, content myself with making two general observations (1) with regard to matters of policy, and (2) with regard to questions of method and procedure.

"Flood control is a matter of policy. I hope that there will be general agreement as to the desirability of providing that measure of flood protection as will ensure full safety to the vulnerable area of the Damodar Basin against even the most adverse combination of foreseeable natural circumstances. I am glad to say that the scheme drawn up in the Preliminary Memorandum does provide for that full measure of safety.

"The second matter of policy is the collective responsibility of the three Governments assembled here to put their shoulders to the task. I believe that there will be general agreement that the findings in the Preliminary Memorandum justify the three Governments in proceeding energetically with the development of the Damodar River Valley on the general lines indicated in the Memorandum.

"The project is a welcome one to the Government of India. It very clearly shows a fine prospect of the control of the river, a prospect of controlling Hoods, of securing a fine area for perennial irrigation with resultant insurance against famine and a much needed supply of power. I am sure it will be more than welcome to the Governments of Bengal and Bihar, if they realise what the project will mean to them and their people.

"In concrete terms, the project will give them (1) an aggregate controlled reservoir capacity of about 4,700,000 acre-feed, (2) sufficient water for perennial irrigation of about 760,000 acres besides water for navigation purposes, (3) electrical energy amounting to 300,000 kilowatts, and (4) it would serve to promote directly the welfare of 5 million people and indirectly of many more millions.

"Coming now to the question of methods and procedure, we have to decide upon the following points which I am placing before you in order of priority :—

(1) Selections of dam sites to be taken up first;

(2) Further detailed investigations as to the selected dam sites before construction can begin ;

(3) The agency for such further preliminary investigations ;

(4) The agency for designing and construction of dams ;

(5) The creation of high grade administrative machinery to co-ordinate and push forward the vast amount of work, both technical and administrative, that will have to be done during the stages of investigations and construction that are to follow ; and

(6) A series of surveys relating to the best utilisation of water and power that will be eventually available in the developed areas.

"I would like to emphasize the need for a quick decision on the points relating to method and procedure. The project is no doubt primarily for the establishment of safety and the development of a

multi-purpose river basin project. But it cannot be forgotten that the project is a post-war employment project. As the war is now over on all fronts, we are faced with the problems of peace one of which is to prevent unemployment which, with the sudden cancellation and the reduction of war employment and expenditure, is going to be one of the gravest problems in our domestic economy.

## Central Government's Part

"From this point of view, the Damodar Valley Project is a matter of grave urgency, and it would be a criminal folly not to come to an early decision, without which it is not possible for us to proceed further in the matter. I, therefore, hope and trust that, with your cooperation, we should be able today to return with our decisions fully and firmly made.

" Before closing, let me tell you that the Government of India is very keen, very earnest and is prepared to play its full part in carrying through its project.

(1) The Government of India in conformity with their earlier declarations recognise their responsibility for doing all that they can to speed up the project on approved lines, and to this end will endeavour to the best of their ability. Though the form of the authority to carry out the project and the manner of setting it up is yet to be defined, the original view of the Government that such an authority should be set up remains unaltered.

(2) The Government of India is prepared to assume direct responsibility for securing the staff and organisation necessary to carry out all further preliminary investigation in such manner as will facilitate and expedite construction with such assistance as the two Provinces can render without any serious detriment to their post-war development works. The Government of India, however, realise the shortage of engineering manpower in Bengal and will endeavour to find the necessary staff by drawing upon the services, if found available, of a military unit and its equipment to assist in preliminary investigation. This will avoid drawing on the strained engineering resources of the Province at a larger extent than is necessary and will secure a most rapid supply of equipment.

(3) The Centre is prepared to advance, initially, the funds necessary for the further preliminary investigations undertaken by them which

are necessary for the main project of the understanding that such preliminary expenses will be charged to the project if it materialises and divided half and half between the Centre and the Province if it does not materialise.

"There is only one thing which the Government of India expects the Provinces to do. It expects the Provinces to bear in mind the absolute necessity of ensuring that the benefits of the project get ultimately right down to the grass roots, i.e. everyone living in the Valley and some of those in the vicinity, all have their share in the prosperity which the project should bring. This, in my view, is essential, and it is for this reason that we want the establishment of some agency early enough so that that agency can set about planning at once in the manner in which its essential and ultimate object can be secured."

## CONFERENCE DISCUSSIONS

The Conference decided to proceed rapidly with further investigation and progress in regard to the Unified and Multi-purpose Damodar Valley Development Project.

It was agreed that the scheme should provide the maximum measure of flood protection that might be necessary against the most favourable combination of natural circumstances.

Further investigation of possible dam sites on the Damodar River would be necessary before starting actual construction, and among the sites which required such investigation were Maithon, Aiyar and Sonalapur. The Conference discussed the technical aspects of the question and decided that the order of priority of investigation should be, Maithon first, Aiyar second and Sonalapur third ; and that the Central Technical Power Board should prepare project reports for each of those dam sites—in the case of Sonalapur dealing in particular with possible effects on coal production.

### Necessary Staff

The Central Government would try to secure staff, at the earliest possible opportunity, for the further detailed investigations required for such project reports. Meanwhile, however, investigations should be carried on by such staff as was immediately available.

The Conference agreed that the entire staff engaged on further investigation of dam sites should work under the technical direction of the Central Technical Power Board so that unified control of the preliminary operations could be ensured.

It was further decided to invite four engineers from the U.S.A. to advise on the design and construction of the first two dams to be built under the proposed unified scheme. The engineers would constitute a Technical Mission and should arrive, if possible, in India early next year. It was hoped that by that time the required data would be collected and available.

While the ultimate intention is to constitute a Damodar Valley Authority for the administration and carrying out of the Scheme, the Conference decided that, as an interim measure, the Central Government should appoint a high-ranking Administrative Officer to co-ordinate all preliminary action and rapidly to push through investigations connected with the proposed Project.

It was agreed that investigation should be undertaken simultaneously for the various other problems connected with the scheme. The Irrigation Departments of the Bengal and Bihar Governments, in consultation with the Central Irrigation, Waterways and Navigation Commission, should investigate the best methods of utilising the water made available for irrigation.

Other subjects to be investigated include the development of power demand, including the setting up of nursery stations, anti-erosion works, navigational, geological and the water supply aspects of the scheme and the lay-out of transmission lines.

The following representatives of the Central Government and the Government of Bengal and Bihar attended the Conference :—

*Government of India.*—Mr. H. C. Prior, Secretary, Labour Depart ment ; Mr. D. L. Mazumdar, Deputy Secretary, Labour Department; Mr. M. Ikramullah, Joint Secretary, Supply Department; Mr. H. M. Mathews, Chairman, Central Technical Power Board ; Mr. W. L. Voordin, Hydro-Electric Member, Central Technical Power Board ; Mr. C. Coates, Deputy Secretary, Supply Department; Mr. J. R. Harrison, Deputy Coal Commissioner.

*Government of Bengal.*—Mr. O. M. Martin, Adviser to H. E. the Governor, Communication and Works Department; Mr. R. L. Walker,

Adviser to H. E. the Governor, Finance, Commerce, Labour and Industries Department; Mr. B. B. Sarkar, Secretary, Communication and Works Department; Rai Bahadur S. K. Gupta, Chief Engineer, Irrigation Department, West Bengal; Mr. Man Singh, Superintending Engineer on Special Duty, Damodar Scheme ; Major M. Jafar, Director of Public Health and Mr. Aziz Ahmed, Joint Secretary, Post-War Reconstruction Department.

*Government of Bihar*.—Mr. S. M. Dhar, Development Commissioner and Mr. W. G. Caine, Chief Engineer, Irrigation and Power.

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# 51

## * Housing of India's Industrial Workers

The need to accelerate the provision of housing for India's industrial workers, was emphasised at the seventh meeting of the Standing Labour Committee which was held recently in New Delhi. The Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India, presided.

The Committee resolved that a sub-committee should be appointed to consider the following matters relating to housing for workers :—

(a) Whether there should be a Building Fund for the housing of workers, and the manner in which it can best be raised, and in particular the manner in which the cases of those employers who have already provided housing can be dealt with ;

(b) the basis on which the workers can be required to pay rent;

(c) the minimum standards required for workers houses ;

(d) the most suitable manner of administering any fund which becomes available (whether from Government, employer or worker) for the housing of workers ; and

(e) the facilities that arc required to be granted by the Central and Provincial Governments and local authorities to facilitate housing schemes for workers.

The sub-committee should be composed of two representatives of the Central Government, two representatives of provinces, two representatives of Indian Stales and three representatives each of employers and employees including representatives of Municipalities and Municipal workers.

### Holidays With Pay

The Standing labour Committee also discussed draft rules relating to

* Indian Information, December 15, 1945, p. 464.

holidays with pay tentatively framed by the Central Government, under the Factories (Amendment) Act, 1945.

There was a general agreement on the desirability of amending the Workmen's Compensation Act so as to include in the definition of workmen, to whom the act is applicable those drawing Rs. 400 a month.

The meeting was attended by representatives of the Central and Provinicial Governments, Indian States and Chamber of Princes, Organisation of Industrial Employers, Employers' Federation of India, All-India Trade Union Congress, Indian Federation of Labour and other employers and workers.

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# 52

## * State's Obligations to Labour

Presiding over the Seventh Labour Conference, which will in future be called the Indian Labour Conference, held in New Delhi on November 26, the Hon'ble Dr. B. R. Ambedkar, Member for Labour, struck a balance-sheet of the State's obligations to labour and urged legislation for raising Indian labour standards to the international level.

Taking stock of Government action on the recommendations of the Royal Commission on Labour and the ratification of I.L.O. conventions Dr. Ambedkar said there were actually only ten recommendations which were still outstanding, whereas India has yet to ratify 19 out of the 63 Conventions. "But", the Labour Member pointed out, "this is due not so much to the unwillingness of the Government" but to "the rule which requires that a Convention must be adopted without change or modification. It should be possible", remarked the Labour Member, "for the I.L.O. to draft a Convention so as to provide for stages."

Welcoming the gathering, Dr. Ambedkar Said :

"I am sure we are all happy to see that peace has come. It has cost us six years of hard struggle involving incalculable destruction of life and property, not to mention the hardship and the misery which all had to undergo in order to win victory. It is a matter of great relief to us that we have no longer before us the problem of war and of war effort which required us not only to make things ready, but to make them ready at the shortest notice. Thank God that all our worries are over. But you all know that, though the problems of war are no longer there to trouble us, there are before us problems of peace, such as the reconstruction of the social and economic life of the people. These problems affect India no less than they do other countries of the world.

* Indian Information, December 15, 1945, pp. 684-88.

## State's Liabilities

"Among these social and economic problems, this Conference will be concerned with the most important of them, namely, the problems effecting the welfare of labour and the relations of Capital to Labour. In order that the Conference may know what work lies before it, I think it would be desirable if I use this occasion to enter upon what might be called 'stock-taking', so that all of us may have a correct estimate of what has been done and what remains to be done in the field which is ours.

"For the purposes of this stock-taking, I would like to begin with our liabilities first. Our liabilities are derived from two different quarters. Firstly, they are derived from the recommendations of the Royal Commission on Labour which reported in the year 1930. The second source of our liabilities is the Conventions of the International Labour Organisation of which India has been made a member from the very beginning.

" The Royal Commission on Labour made 357 recommendations—a formidable total which serves to show how far behind India was in 1929 as compared with other countries in matters of labour legislation. Of these 357 recommendations 133 (in whole or in part) involved legislation. Of these 133, no less than 126 were accepted by the Government. Only seven were rejected out of 126 which were accepted, 106 have generally been given effect to. Only 20 arc still outstanding. Of these 20, 10 relate to legislation for workshops for which discretionary powers already exist with the Provincial Governments under section 5 of the Factories Act. Really speaking, there are only 10 recommendations which are outstanding. Our liability on this account is therefore very small.

## I.L.O. Conventions

"Turning to the second source of our liabilities, it will be noticed that the I.L.O. has between the years 1919 and 1943 passed altogether 63 Conventions on various matters effecting labour. Of these, India has ratified only 14. India has yet to ratify 49 Conventions.

"You will notice how the balance-sheet stands. Our Royal Commission account is better than our I.L.O. account. That is of course likely as the Royal Commission recommendations have specific

relations to the conditions of India while the I.L.O. Conventions are general in character.

"The fact, however, remains that there is very little outstanding liability on account of the Commission and the magnitude of our liability on account of the Convention is great. Among the Conventions not ratified, there are some which are very important and it behoves us to examine these most carefully and raise our labour standards, in so far as national conditions allow, to standards laid down internationally

"This brief survey will, I hope, enable you to see what is outstanding in the matter of legislation. I need hardly say that this debt we shall have to discharge. I am sure you will agree with me when I say that we do not wish to escape it. Permit me to say that we cannot escape it. World public opinion will not allow us to escape it.

"If I have made a point of our honouring our liability it is because one hears in this country many misgivings being expressed about the necessity and urgency of labour legislation. There is always somebody to ask us to copy the British example. It is said that the British people have waited for a century, before they had their present Labour Code. There arc others who urge that it would be unfair to put the cost of labour legislation on Indian Industries, which are at present in an infant stage, and point to the example of Russia where the working class was forced to accept very low standards in order to enable industries to grow. One also hears it said that the administrative machinery necessary for enforcing labour legislation is not in existence in India and that, therefore, it is useless to enact laws which must remain a dead letter. There is also the plea, commonly raised, that India is a poor country and that it cannot afford the luxury of high standards of labour.

**Labour Legislation**

"I am not sure that these arguments will satisfy world opinion. Far from accepting them as good and valid reasons for holding back labour legislation of which we arc in arrears, labour is sure to regard them as so many excuses.

"Labour may well say that the fact that the British took 100 years to have a proper code of labour legislation is no argument that we should also in India take 100 years. History is not to be studied merely with a view to know how well to imitate the mistakes of other countries.

We study history with a view to know the errors people have made and how they could be avoided. History is not always an example. More often it is a warning.

"Labour is bound to say that the example of Russia is entirely out of place in a discussion about labour standards in a country in which industry is run as a private enterprize working in pursuit of private and personal gain. In Russia, industry is a State enterprise and the profits of industry go to fill the Treasury of the State and not to swell the private fortunes of individuals. Where the profits of industry belong to the State, the subjects of the State may well be asked to undergo, during an interim period, reduction in wages and other standards of life in order that the State industries may be stabilised. No worker would mind such a sacrifice knowing that, in the end, the industry would belong to the State and that he would be able to share in the prosperity of the State. How can the workers be asked to agree to reduce standards of life in an economy in which the profits which are to result from such reduced standards are to go to private individuals. I am sure you will agree that an agrument on these lines has great force.

**Funds For Labour Welfare**

"The plea that we have no administrative machinery to give proper effect to labour laws cannot be admitted to be a strong plea. It is liable to be attacked by labour from many points and you will find it vulnerable at every point. The State maintains a large body of police force to maintain law and orders; the State maintains a body of Revenue Officers to collect taxes. Labour may well say, why should not the State maintain a force to see that labour laws arc given effect to ? Is the duty of the State to be confined merely to collecting taxes and punishing persons who disobey its laws ? Does not the duty of the State extend to the maintenance of terms and conditions of employment, which arc in consonance with civilised life ? If that is the duty of the State, is it not obligatory on the State to create and sustain such machinery ? The lack of machinery is too weak a plank to stand on.

"The argument about the capacity to bear the burden of the cost involved in labour legislation is an argument of very serious import, and labour will have to take note of it. At the same time, the question is about the faith behind the argument. Is it a *bona fide* argument ? or

it is merely a cloak for avoiding liability ? Labour may well say that this argument about cost loses much of its force when one thinks of the money spent on war. All of us know what a colossal amount of money has been raised for the war and how the monied classes have borne the crushing weight of high and heavy taxations for carrying on the war.

"Labour may well ask statesmen to say how many houseless persons could have been decently housed, how many naked persons could have been properly clothed, how many hungry men and women could have been given full nourishment, how many uneducated persons could have been educated, how many sick persons could have been restored to health, if the money spent on war had been spent on public welfare ? Labour may ask monied classes a very pertinent question saying, if you do not mind paying taxes to meet expediture on war, why do you object to raising funds when their purpose is to raise labour standards ? I am sure these arc not very easy questions to answer.

"I have given you an estimate of the labour legislation which is outstanding. I have shown why we cannot escape it. That being so, I do not think it necessary to make any apology for the large Agenda that has been placed before you. The Agenda includes eight items. Some of them are very important, particularly item II, which deals with reduction of working hours, item III which deals with minimum wage legislation and item VIII which deals with the Recognition of Trade Unions.

**Anti-Slump Measures**

"You can well imagine why I have singled out these items for particular emphasis. The peace we are glad to have will be bringing on its plethora of problems. The most serious of these will be the dreadful problem of unemployment. We must do our best and do it immediately to mitigate it and to prevent it from lowering labour standards. I believe three things are necessary to case the situation. Firstly, to reduce hours of employment so as to provide employment for many. Secondly, to provide machinery for fixing minimum wages. The absence of such machinery combined with unemployment is bound to cause labour standards to slump, which ought to be prevented. Thirdly, to provide the employers and workers with a resolve to

collective bargaining and learn to work together in the solution of other common problems. Nothing in my judgment can bring this about more effectively than sound and responsible Trade Unions.

"I do not propose to assert that the Labour Department does not linger on. I must mention I find one great handicap in pursuing our goal. It arises from the provisions of the I.L.O. with regard to Conventions. I said that our liability arising out of non-ratification of the Conventions is indeed very great. I must at the same time point out that this is due not so much to the unwillingness of the Government to recognise the essential good underlying the Conventions, it is due largely to the rule which requires that a convention must be adopted without change or modification. It must be adopted as a whole, or not all all. I am sure it is this provision, forcing on us a policy of 'all or none' is not very helpful. It does not permit us to realise our goal by progressive stages which is the only one by which vast and backward countries like India can hope to advance.

**Stage By Stage Progress**

"I want to press for a modification of this rule, as being very necessary for Asiatic countries which have a long and a different journey to cover. It should not be impossible to get a change made in the existing provisions. It should be possible for the I.L.O. to draft a Convention so as to provide for stages. It should also be possible for the I.L.O. to lay down that the convention should be carried out stage by stage, coupled with the provision that the whole list of Conventions should be carried within a given period. I am sure you will agree with me that a change which permits progressive realisation of international conventions is to be preferred to a rule which makes them so many dead letters.

"There is one other matter to which I must make some reference lest you should misunderstand. You remember, the Conference last year appointed a Committee to consider some of the proposals I had made for changing the Constitution of the Conference. You might like to know what action Government propose to take on the report of the Committee.

"As recommended by the Committee, Government do not at present propose to make any changes in the Constitution of the Conference.

Government think it enough not to do anything more than to change the name of the organisation as recommended by the Committee. The Conference is meeting under different names, such as Ministers' Conference, Tripartite Conference and Plenary Conference. I am glad that the Committee decided to call it the 'Labour Conference'. Notwithstanding what Shakespeare has said there is much in a name. The name 'Labour Conference' may not have a partite' or 'Plenary'. The only comment I have to make is that the name as proposed by the Committee lacks colouring—a defect which could be easily removed if instead of calling it 'Labour Conference' we decided to call it the ' Indian Labour Conference'. I take it that you are in agreement with me on this point.

"There is another thing which Government propose to do, which is quite independent of the report. It is to enlarge the functions of this Conference.

"At the last I.L.O. Conference held in Paris the delegate of the Government of India gave an undertaking to place all recommendations and Conventions passed by the I.L.O., before, this body for discussion. The Government of India have decided to honour that undertaking. I am sure you will welcome this extension of your powers and functions. It will enable the Provinces and States to know what was done at each Session of the I.L.O. and profit by the views of the employers and employees in regard to it."

## CONFERENCE PROCEEDINGS

The Indian Labour Conference, consisting of the representatives of Central and Provincial Governments, important states and employers' and workers' organisations unanimously supported the principle of the 48-hour week in India's factories at its meeting on November 27. There was, more or less, complete agreement in regard to the Government's proposals for the statutory provision of industrial canteens and for the amendment of the Workmen's Compensation Act, 1934.

The Labour Department's memorandum on the reduction of working hours pointed out that it was both unjust and unwise to deny the workers a reasonable amount of spare time away from the factory, which was indispensable for the building up of citizenship and for the maintenance

of his physical efficiency. It emphasised that the present was an opportune moment for taking up this question because there was a need for giving relief to factory workers who had been put to a great strain during the war. Moreover, shorter hours would lead to greater employment. The memorandum made it clear that the reduction in hours should not be accompanied by any reduction in basic wages or dearness allowances unless there was a fall in prices. The rates of piece-workers should be adjusted on the principle that a piece-worker should earn not less than a time worker.

The Conference also discussed the organisation and functions of the Employment Exchanges set up by the Labour Department to help the resettlement and employment of demobilised Services personnel and discharged war workers during the transition period.

The Labour Department's memorandum on the subject recorded that Employment Exchanges can only give useful assistance if they are in possession of information regarding the employment opportunities available or likely to be available. The use of the Employment Exchange organisation, it continued, will prove of mutual benefit to employers and employment-seekers and will ensure satisfactory distribution of manpower among various branches of production. It will also facilitate the mobility of Labour, both occupational and geographical, and will obviate any bottle-necks in the supply of various categories of workers.

The attitude of Employment Exchanges during strikes or lockouts and the question of compensation to the workers during involuntary unemployment resulting from controls were the two other subjects considered in today's session. The first subject was adjourned after some discussion for tomorrow's session, and on the second the Conference was not able to arrive at an agreed decision.

## Minimum Wages

When the Conference assembled on November 28 to conclude its seventh session, the Hon'blc Dr. B. R. Ambedkar announced that a committee consisting of two representatives of employers and two of employees will be formed shortly to advise the Government in drafting legislation for fixing minimum wages for labour and for amending the Indian Trade Unions' Act, 1926.

Though the principles of these two measures were agreed to by the Conference, various points of view were expressed during the discussions. The appointment of the Committee is to meet the point raised by many speakers at the Conference that, in view of the importance of these two measures, they should be examined in detail.

The Conference was unanimous in its decision regarding the framing of standing orders in industrial concerns and on the attitude that should be adopted by the Employment Exchanges during strikes or lock-outs. It was agreed that, during strikes or lockouts, Employment Exchanges should acccept vacancies and inform suitable applicants of the existence of the trade dispute before submission. They should register workmen and submit them for other employment, informing the prospective employers that they are unemployed as the result of an existing trade dispute.

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# * Multi-purpose Plan for Development of Orissa's Rivers

## *Dr. B. R. Ambedkar's Speech at Cuttack*

> "Orrisa wants to get rid of the evils of floods. Orissa wants to get rid of malaria and other—to use American phraseology—'low-income' diseases causing ill-health and corroding the stamina of her people. Orissa wants to raise the standard of living of her people and advance their prosperity by irrigation, by navigation and by producing cheap electrical power. All these purposes can fortunately be achieved by one single plan, namely to build reservoirs and store the water which is flowing in her rivers"

Thus observed the Hon'ble Dr. B. R. Ambedkar, Labour Member to the Government of India, in his Presidential address at a conference held in Cuttack on November 8 between the representatives of the Central Government and the Governments of Orissa, the Central Provinces and the Eastern Slates, to discuss the possibilities of developing Orissa rivers.

### Orissa's Problems

Referring to the problems of Orissa, the Labour Member observed : "To say that the problem is one of floods is both an oversimplification and an understatement of the problem. I see the problem in somewhat different light. When I think of Orissa, the picture that comes to my mind is that of a people subject not to one affliction, but many.

> "One such affliction, which is on the lips of everybody, is the constant exposure of her people to floods which cause damage to life and property and, in a general sense, insecurity. This affliction is due, not merely to floods, but also to droughts and famines. Damage by

* Indian Information, December 15, 1945, pp. 692-95.

droughts and famines can be as great as that caused by floods. It is said that in the drought of 1866, nearly 40 per cent of the population of Puri district perished.

"Deterioration in health is another affliction of the people of Orissa. The total population of the province of Orissa is 77½ lakhs. According to the health report of the province, the total deaths in 1944 were 2,35,581. Of these, 1,30,000 died from some kind of fevers and a majority by malarial fever. This means that three per cent of her people died in 1944, and of these nearly half died of malaria. This is a very high figure. In 1944, 19 per cent of the student population was found to show distinct signs of malnutrition and 8.7 per cent showed signs of vitamin deficiency.

"If these facts arc true, Orissa cannot be said to be above the poverty line. The third affliction of Orissa—I think it could be called an affliction—is its want of internal communications. Orissa is a locked-up country. Except for the solitary railway line, running along her eastern sea coast, there is no means of communication either by railway or by canal to connect the vast hinterland with the sea coast."

"Should Orissa continue to be in such a wretched state as it is today ?" Dr. Ambedkar asked. "It need not. It has natural resources, and they are by no means meagre. Orissa has coal, Orissa has irion, chrome, graphite, bauxite, limestone, mica, and Orissa has also bamboo, to mention only some of its important natural resources."

"There is another precious possession which Orissa has, namely her water wealth. The amount of water that passes through the Orissa delta is just vast. The delta—comprising roughly the three districts of Cuttack, Puri and Balasore and covering an area of about 8,000 square miles—is traversed by a network of distributaries arising mainly from three rivers, the Mahanadi, the Brahmani, and the Baitarani.

"Two more rivers—the Burabalang and the Subarnarekha—of relatively lesser importance, also pass through the delta. The three main rivers referred to above drain an area of 69,000 square miles above the delta, lying in the Eastern States, Central Provinces and Bihar. Of these the Mahanadi—the largest of the three—drains 51,000 square miles. Between them, these three rivers carry each year to the sea a discharge of about 90 million acre feet."

## Use Of Water Wealth

The Labour Member continued : "Given the resources, why has Orissa continued to be so poor, so backward and so wretched a province ? The only answer I can give is that Orissa has not found the best method of utilising her water wealth. Much effort has undoubtedly been spent in inquiring into the question of floods. As early as 1872, there was a general enquiry by Mr. Rehnand. I do not know what happened to his report. Nothing seems to have been done thereafter till 1928. From that year down to 1945, there have been a series of committees appointed to tackle this problem.

> "The Orissa Flood Enquiry Committee of 1928 was presided over by the well-known Chief Engineer of Bengal, Mr. Adams Williams. In 1937, the enquiry was entrusted in the able hands of Sri M. Visvesvarayya, who submitted two reports—one in 1937 and another in 1939. His work was followed by the Orissa Flood Advisory Committee. The Committee submitted a preliminary report in 1938 and continued its work till 1942, during which period it submitted three interim reports. The latest effort in that direction was made as recently as March 15,1945, when a Flood Conference was convened at Cuttack by the Government of Orissa.
>
> "With all respect to the members of these committees, I am sorry to say they did not bring the right approach to bear on the problem. They were influenced by the idea that water in excessive quantity was an evil, that when water comes in excessive quantity, what needs to be done is to let it run into the sea in an orderly flow. Both these views are now regarded as grave misconceptions, as positively dangerous from the point of view of the good of the people.

## Conservation Of Water

> "It is wrong to think water in excessive quantity is an evil. Water can never be so excessive as to be an evil. Man suffers more from lack of water than from excess of it. The trouble is that nature is not only niggardly in the amount of water it gives, it is also erratic in its distribution—alternating between drought and storm. But this cannot alter the fact that water is wealth. Water being the wealth of the people and its distribution being uncertain, the correct approach is not to complain against nature but to conserve water.

"If conservation of water is mandatory from the point of view of public good, then obviously the plan of embankments is a wrong plan. It is a mean which does not subserve the end, namely conservation of water, and must, therefore, be abandoned. Orissa delta is not the only area where there is so much amount of water and there is so much amount of evil proceeding from that water. The United States of America had the same problem to face. Some of these rivers—Missouri, Miami and Tennessee—have given rise to the same problem in the U.S.A.

"Orissa must, therefore, adopt the method which the U.S.A. adopted in dealing with the problem of its rivers. That method is to dam rivers at various points to conserve water permanently in reservoirs. There arc many purposes which such reservoirs can serve besides irrigation. I am told that if it were possible to store the entire run off of the Mahanadi it will be enough to irrigate thereby a million acres, provided that much area was available. Water stored in the reservoirs can be used for generating electric power.

"If in the midst of its natural resources, Orissa has remained an industrially undeveloped area, it is due to want of cheap power to run its factories. Here there will be abundance of electric power, more than Orissa can hope to consume for a long time to come. Another use to which this water could be put to is navigation.

"Navigation in India has had a very chequered history. During the rule of the East India Company, provision for internal navigation occupied a very prominent part in the public works budget of the Company's Government. Many of the navigation canals we have in India today—and you have one in Orissa itself—are remnants of that policy. Railways came in later, and for a time the policy was to have both railways and canal navigation. By 1875, there arose a great controversy in which the issue was railways *versus* canals. The battle for canals was fought bravely by the late Sir Arthur Cotton—one of the few engineers with big ideas. Unfortunately supporters of Railways won.

"I am not quite happy about this victory of railways over canals. Much more annoying is the ignorant opinion of supporters of railways that canals must go because they do not pay, without knowing that if the canals do not pay it is not because they cannot pay but because

their capacity to pay has been terribly mutilated by leaving them uncompleted. I am sure that internal navigation cannot be neglected in the way in which it has been in the past. We ought to borrow a leaf from Germany and Russia in this matter and not only revive reconstruction of our old canals but make new ones also and not to sacrifice them to the exigencies of railways."

## Special Feature

The Labour Member reiterated that the storage scheme, as applied to the rivers of Orissa, will have this special feature, namely, that it will not only give irrigation and electricity, but also provide a long line of internal navigation. "I am told it may be possible to connect Chandbali to Sambalpur and beyond by a navigable inland waterway by construction of, say, some three dams at (1) the point of its debouche from the hills (seven miles above Naraj), (2) Tikkirpara and (3) above Sambalpur. If this plan works out, there will be a navigable channel for 350 miles which could be maintained all the year round, affording a cheap and convenient artery for passenger and goods traffic. Imagine the possibility coastal craft or light vessels going right into the interior on a canal extending from the sea *via* Cuttack to Sambalpur, and beyond into the Central Provinces. Here is a scheme which converts forces of evil into powers of good.

"Orissa wants to get rid of the evils of floods. Orissa wants to get rid of malaria—and other—to use American phraseology—'low-income' diseases causing ill-health and corroding the stamina of her people. Orissa wants to raise the standard of living of her people and to advance her prosperity by irrigation, by navigation and by producing cheap electrical power. All these purposes can fortunately be achieved by one single plan, namely, to build reservoirs and store the water which is flowing in its rivers.

## Multi-purpose Reservoirs

"I am, therefore, glad to note that the Orissa Flood Protection Committee held in 1945, struck the right note when it said that the final solution of Orissa's water problem should be sought in the construction of multi-purpose reservoirs. My comment is that this should be regarded as the only method and treated as an immediate programme

rather than as an ultimate aim. The potentiality of this project may not be clear to everybody. But it is indeed very great. It is desirable that some idea of its immensity should be conveyed to the Government of Orissa, the representatives of the States of Orissa and the people of Orissa as well, so that their interest in the project may be aroused.

"A comparative statement may well give such an idea. One hears of the lake made at the Boulder Dam in the U.S.A. as the biggest man-made lake in the world. We also hear of the Mettur Dam in Madras and the proposed Tungabhadra Dam in Hyderabad, which are likely to be its rivals. Compared with the first, the total volume of water that flows annually through the Orissa rivers will fill three times the lake mentioned. Compared with the Mettur Dam in Madras and the Tungabhadra Dam in Hyderabad, it may be pointed out that the Mahanadi alone carries over 65 million acre-feet, which would be 30 times the capacity of the reservoir at the Mettur Dam in Madras and 20 times the capacity of the proposed Tungabhadra Dam. How much of this water we can economically and effectively store is a matter for investigation. The Government of Orissa, the States in Orissa and the people of Orissa should, therefore, regard themselves as lucky and proud of this project and determine and endeavour to make it a reality."

Dr. Ambedkar continued : The agenda for the meeting is a very modest one. It is (1) to consider the disirability of undertaking forthwith surveys and investigations of Orissa rivers with a view to the preparation of schemes of unified and multi-purpose development comprising (a) flood control, (b) navigation, (c) irrigation and drainage, (d) soil conservation, and (e) power development; (2) to consider the desirability of concentrating, in the first instance, on surveys and investigations on the Mahanadi river for control and development of that river ; (3) to examine the desirability of surveys and investigations being carried out by provincial governments in conjunction with, and under the general direction of, the Central Waterways, Irrigation and Navigation Commission."

"Our main purpose today is to see if we can agree on the necessity for a thorough survey and investigation of the natural resources and physical features of the region with a view to prepare a comprehensive scheme for its development. For a balanced appreciation of the situation it is necessary to carry out comprehensive surveys and investigations

with a view to ascertain the possibilities of irrigation, navigation, power development and their facilities in the delta as well as in the drainage area as a whole. Investigations so far carried out have been mostly limited to the delta, although some work had been done in 1862 on the survey of dam sites for small reservoirs on the five tributaries of the Mahanadi, namely, the Telcoma, the Ibcoma, the Maudcoma, the Hasd and the Jonk.

"The Central Waterways, Irrigation and Navigation Commission constituted by the Government of India under the chairmanship of the able and well-known irrigation engineer, Rai Bahadur Khosla, is shortly going to initiate hydrological and other surveys of Orissa rivers as part of their enquiry. It will be necessary for provinces and states to undertake connected surveys in conjunction with, and under the general direction and supervision of, the Commission.

## Submergence Of Areas

"Before closing", Dr. Ambedkar observed, "I would like to draw the attention of the parties which have met at this conference to two points. They are intimately connected with the success of the project and about which they will have to make up their mind at an early date. First is their readiness to consider the question of submergence of land. Reservoirs formed by construction of dams will submerge large areas of land, both in Orissa and the Eastern States. If these dams are carried higher up the river or its tributaries, certain areas in the Central Provinces will also be submerged. This question will need to be considered in detail in relation to the over-all benefits of the integrated scheme."

"Submergence of areas will be inevitable if the waters of the rivers have to be conserved for beneficial use instead of being allowed to run waste and to work havoc *en route*. The resulting benefits from a scheme of united and multi-purpose development should far outweigh loss of lands due to submergence. This project can be a success only if it is treated as a regional project. It cannot succeed with a local treatment. The province of Orissa will fail if it were to take up a project confined to its own boundaries. The same will be the reuslt if an Orissa State were to make a similar attempt.

"The project being essentially regional, it raises the question of submergence of State and Provincial sovereignty to the extent

necessary. This is the second question to which I wish to refer. It is for the Orissa States and the Government of the Province to come together in order to shed a part of their sovereignty over different sections of the rivers that are flowing through their territory so that the project could be undertaken, planned, devised and run by a single authority without disturbance cither from the province or from the states once it is established. I need hardly say that the welfare of the public is far more important both to the Government of Orissa as well as to the Rulers of Indian States affected than sovereignty. Their sovereignty should be used for advancing the welfare of the people and not for blocking it. With co-operative and co-ordinated effort on the part of the Central Government and the Provincial and State Governments, it should be possible to harness for beneficial use this perennial source of wealth waters of Orissa rivers—which are at present running to waste and causing untold suffering on their way to the sea."

## SURVEY OF ORISSA RIVERS : CONFERENCE DECISIONS

The conference decided to undertake a preliminary surveys of the Orissa rivers to prepare schemes of unified and multi-purpose development. Multi-purpose schemes which may be prepared after this preliminary survey are intended to comprise flood control, navigation, irrigation and drainage, soil conservation and power development.

The Conference agreed that, in the first instance, the possibilities of controlling and developing the Mahanadi river should be surveyed. It was further agreed that surveys should be carried out by the Provincial Governments concerned in conjunction with and under the general direction and supervision of the Central Waterways, Irrigation and Navigation Commission.

It was explained that the Commission would, in the beginning, carry out a preliminary reconnaissance over the entire length of the Mahanadi, and if, as a result of such reconnaissance, a *prima facie* case for the development of the river for the benefit of the provinces and states concerned was established, further detailed survey and investigation would have to be undertaken. It would only be at this stage that full participation of parties concerned, both administrative and

financial, would be necessary. Till then the Central Waterways, Irrigation and Navigation Commission propose to carry on preliminary reconnaissance with the help of the recently created Orissa Rivers Division of the Provincial Government. It was agreed that the C. P. Government and the Eastern States would supply the Central Waterways, Irrigation and Navigation Commission with all such data and information as they already possessed and would cooperate fully with them in order to explore the possibilities of the Mahanadi river.

## Mr. GOKHALE'S SPEECH

Mr. B. K. Gokhale, Adviser to H. E. the Governor of Orissa, welcoming the plan outlined by Dr. Ambedkar, said : "Orissa is perhaps the most backward part of India and no single project is likely to do more to improve the conditions of the people than the multipurpose development which we have under contemplation". He outlined the history of Orissa up to modern times, and said that Orissa expected that the thought which had been given to planning and regional development would start her on an era of happiness and prosperity.

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## POST-WAR IRRIGATION AND HYDRO-ELECTRIC SCHEMES

"There is no doubt whatever about India's lead to the world in irrigation. Nor of its vital importance to India; with our rapidly increasing population we must irrigate to live", said H. E. the Viceroy opening the 16th annual meeting of the Central Board of Irrigation held on November 26 in the Council Room of the Viceroy's House, New Delhi. Besides the experts of the Government of India and the Chief Engineers of Provinces and States, the Hon'ble Dr. B. R. Ambedkar, Member for Labour, and the Hon'ble Mr. H. C. Prior, Secretary, Labour Department, attended.

* Indian Information, December 15, 1945, p. 697.

The Viceroy said :

"I am very glad to be able to open the 16th Meeting of this Central Board of Irrigation. Your branch of engineering is an ancient, important, and very honourable one. Irrigation engineers are the oldest experts in the world. The 2nd Chapter of Genesis tells us that 'A river went out of Eden to water the garden' obviously the first recorded example of irrigation. The two ancient civilizations of Egypt and Mesopotamia were of course built entirely on irrigation ; and the forerunners in your craft were presumably a much honoured guild or fraternity in those countries.

"Amongst the most eminent of the early irrigation experts must be numbered Moses, of whose achievements, in the art of irrigation we know at least two ; when he smote the rock at Horeb, bidding drink and live the crowd beneath him ; and when he sweetened the bitter water at Marah, presumably by building a dam to keep out some brackish clement.

## India's Achievements

"Other engineers may give us speed in travel or comfort in our dwellings ; your gift is that of life itself. If you want a text for your labours you will find it in a verse of Isaiah ; 'I give waters in the wilderness and rivers in the desert, to give drink to my people'.

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# 54

## * Rejection of Railway men's Federation Demands *Re:* Retrenchment

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : Mr. Chairman, in the morning when this adjournment motion was admitted I did not think that the Labour Department would have to come into this debate in order to explain its position. But when the debate opened I found that two of the speakers who have supported the motion have come down somewhat heavily on the Labour Department. Their charge was that although the dispute has been going on for some considerable time, the Labour Department has not played the part which it is expected to play in this dispute. Sir, I admit that the Labour Department has a considerable amount of responsibility in this matter. It is a department which has been established in order to see that the working classes do get their dues and if the Labour Department can be found to have failed in its duty, it would undoubtedly be deserving of the censure that is moved. But I am sorry to say, Sir, that my Honourable friend, Sardar Mangal Singh,—who in the first instance alluded to the responsibility of the Labour Department and said in a somewhat, if I may say so, slighting manner, that the Labour Member was either sleeping or fiddling—was completely unaware of the facts of the situation and has certainly not informed himself of what the Labour Department has done in this matter. I think it would therefore be desirable that I should place before this House some very relevant facts with regard to this matter.

First time when the Labour Department came to know that there was such a dispute between the Railwaymen's Federation and the Railway Board was on the 5th October, 1945, when a letter was sent by an official of the Indian Railwaymen's Federation forwarding a number

* Legislative Assembly Debates, Vol. I-No. 2, 22nd January 1946, pp. 106-08.

of resolutions that had been passed at a session of the Railwaymen's Federation. After that letter a second letter was received by the Labour Department on the 10th October, 1945. In that letter a request was made that the Labour Department should move and appoint an adjudicator in order to decide upon the terms mentioned in the resolution. Now, Sir, it will be admiitted that before any such grave step as that of the appointment of an adjudicator is taken, it is the duty of the Labour Department to bring the two parties together and to induce them to meet in a formal manner, discuss the various outstanding questions, reduce their differences as far as they possibly can agree to each other's demands. That duty, I am glad to say, the Labour Department immediately performed and they induced the Railway Department to meet the representatives of the Indian Railwaymen's Federation and to discuss points of dispute. Honourable Members might be aware that after the discussion had taken place between the Railway Department and the Indian Railwaymen's Federation a communique was issued by the Railway Department stating that a meeting had taken place and certain matters which were matters of dispute were discussed between the two parties. Now that thing happened as late as the 5th of December, when this communique was issued. Certainly from the 5lh of December up to day it cannot be said that an unduly long delay has happened or an unduly long delay has been brought about or that there has been any dilatoriness on the part of the Labour Department that they did not move in this matter as soon as they ought to have done.

But there is one other point to which I would like to draw the attention of the House. It cannot be said—and I think Mr. Guruswami ought to be in possession of this fact—that the negotiations have not been concluded. Negotiations arc still going on and I may tell the House that it has been agreed between the Railway Department and the Federation of Indian Railwaymen that a small committee of the Indian Railwaymen's Federation be appointed in order to carry on further negotiations with the Railway Department. The dale fixed for that meeting is towards the end of January 1946. The end of January 1946 has not yet come. There is still time for negotiation.....

**Shri Prakasa :** 'Towards the end' has come.

**The Honourable Dr. B. R. Ambedkar :** Yes, but that is a matter which I am afraid I cannot accept.

**Diwan Chaman Lall** (West Punjab—Non-Muhammdan): May I interrupt my Honourable friend for a minute ? Is it a fact that the demand for the appointment of an adjudicator has been definitely turned down by the Government ?

**The Honourable Dr. B. R. Ambedkar :** I am coming to that. The point I was making was this—that there can be no question of the appointment of an adjudicator unless the Labour Department is fully satisfied that the last attempt for a mutual settlement between the two parties has failed ; and what I am pointing out to my honourable friend is this—that an opportunity still exists, an opportunity is still provided, and it is for the Railwaymen's Federation to inform the Railway Department what will be the exact date on which they will meet the Railway Department.....

**Diwan Chaman Lall:** May I ask my honourable friend once again whether it is a fact that the Government have denied to the Railwaymen's Federation any information regarding the number of people that they have decided to retrench, and secondly, whether they have refused to appoint an adjudicator, and thirdly whether they arc still continuing to retrench men? I think about 10,000 have already been retrenched. Where then is there the further question of negotiation when the Government has taken up this point of view ?

**The Honourable Dr. B. R. Ambedkar** : I think my honourable friend forgot, when I got up to intervene in this debate, that I said I would confine myself to the question of adjudication. The rest of the question as to how many will be retrenched, whether they will be retrenched, if retrenched how they will be dealt with, all that is a matter which I am sure will be dealt with by my Honourable colleague who will reply after I have finished. As I said, I am only discharging the responsibility that falls on the Labour Department. The point that I was making was that unless and until the Labour Department is satisfied that there is no further room for settlement, it would be impossible, it would be unfair and quite contrary to established procedure for the Labour Department to intervene and say "We shall appoint an adjudicator". The point I was making, therefore, is this—that this motion, at any rate that part of the speech of my Honourable friend who accused the Labour Department of not having stepped in at the right moment, is certainly too premature, and I think if he will bear

in mind the facts I have disclosed, he would himself voluntarily withdraw the statement that he made that the Labour Member was fiddling. I certainly was not.

Then let me come to the other side of the question. It is true that under the Defence of India Act, the Government does possess the power to appoint an arbitrator under rule 81 of the Defence of India Act. But I think it is only fair to mention that although this is an emergency legislation, we are not altogether precluded from observing such canons of judicial consideration from exercising the powers that we possess under rule 81, that is, arbitration. For the purposes of arbitration we must have a dispute in existence. As I have said, at the present moment there is no dispute ; the matter is under consideration. Secondly, before any adjudication is made, we must be satisfied that the dispute relates to terms and conditions of employment—for instance, that the dispute relates to hours of work, to wages, and to points of that kind. What is the point that is at dispute between the Railway Department and the Indian Railwaymen's Federation ? I am sorry to say that the Railwaymen's Federation has certainly not conducted its case in the way in which it ought to have conducted it. They have certainly have gone and done a great deal of harm to themselves. The point, I would like to make in this connection is this—what is the point on which the Railwaymen's Federation is stressing all through ? Is it a point that relates to hours of labour ? Is it a point that relates to wages ? I say definitely that the points of dispute do not relate to either of these two points. It is quite true that the Railwaymen's Federation has passed a number of resolutions many of which refer to hours of work and to conditions of labour. But we have got to make a distinction between what are called fundamental points of dispute and points which are merely tagged on. If one were to examine the resolution that has been passed by the Railwaymen's Federation, we find that the gravamen of their complaint is that the railways shall not reduce a single workman. Questions relating to hours of labour and questions relating to wages are just tagged on—they are not the points of difference. In order to substantiate what I am saying, the fundamental point of dispute between the railways and the Indian Federation of Railwaymen is the question of retrenchment, the question is as to how many persons will be

employed and how many will be discharged. I would like to point out one or two other circumstances.

The first is this—as I said, in their letter of the 5th of October 1945, they had put forward some fifteen or fourteen demands. A conference was arranged between the Labour Department and the President of the Indian Railwaymen's Federation, Mr. Gin, in order to assess and find out what exactly were the points which they regrded as fundamental, and I should like to tell the House that although there were fifteen resolutions, only three points were placed before the Labour Department for consideration. The rest of them were regarded by the Railwaymen's Federation as matters of no consequence. Again when a formal meeting was brought about the Railwaymen's Federation and the Railway Department, even the three points that were raised before the Labour Department were dropped, and the only point that was taken up was the question of retrenchment. With all respect to the gentlemen who have spoken and to the President of the Railwaymen's Federation, I must confess my utter inability to understand how, for instance, a question as to how many people should be employed by a particular department, can be treated as a justiciable dispute. I am wailing, as I said, for the president of the Railwaymen's Federation to evolve out of the negotiations with the Railway Department some point which might be regarded as justiciable, so that the Labour Department may find it is worthwhile to intervene and to persuade that an adjudication be made. Sir, I think that a censure motion is not deserved.

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# 55

## * Proposed Evacuation of Villages in the Prosecution of the Damodar Scheme

**Mr. President:** Then there is the motion of Mr. Ram Narayan Singh, about the proposed and forced evacuation of thousands of people of hundreds of villages of the Hazaribagh, Manbhum and Sonthal Parganas districts of Bihar from their homes and hearths in the process of the prosecution of the Damodar Scheme. I should like to know what exactly the Honourable Member means by this motion.

**Babu Ram Narayan Singh** (Chota Nagpur Division : Non-Muhammadan): Sir, land acquisition proceedings are going on in some of the districts. In the process of the prosecution of the Damodar Scheme, several villages are going to be occupied by the Government and the people are about to be asked to evacuate those areas.

**Mr. President:** May I know when the scheme was started and how far it has proceeded ?

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : I would like to submit that at this stage there is absolutely nothing to be discussed. Government has no doubt under contemplation putting certain dams on the Damodar River, which flows through Bihar and Bengal; but with regard to the specific questions raised in this adjournment motion, which speaks of forced evacuation, all I have to say is this : that we are at a very very preliminary stage : we are merely making an inquiry as to how much land would be submerged by the enclosure of this water, what would be the area that would be affected, etc., and we are trying to see how many persons will have to be evacuated, the nature of their holdings and what rights they have. There is really nothing specific ; no action has been taken by Government at this stage which could be the subject-matter of discussion ; and what I would like to say is this : that I hope when the government has come

* Legislative Assembly Debates, Vol. I-No. 12, 7th February 1946, p. 606.

to some definite conclusion in this matter I shall be able to circulate a paper to the House containing the conclusions of Government and members can then raise the matter for discussion in any way they like.

**Babu Ram Narayan Singh :** My information is that the land acquisition proceedings are going on in the Hazaribagh district and they are asking people to go away.

**Mr. President:** Is the Honourable Member sure that those proceedings are in respect of this very scheme ?

**Babu Ram Narayan Singh :** Yes.

**Mr. President:** But it appears that the Government has done nothing so far.

**The Honourable Dr. B. R. Ambedkar :** Government are merely acquiring some land for the purpose of having access roads.

**Mr. President:** In connection with this scheme ?

**The Honourable Dr. B. R. Ambedkar :** Yes: they have only served notices in order to prepare some access roads. No question of evacuation has arisen at this stage

**Mr. President:** The acquisition is for the purposes of collection of data?

**The Honourable Dr. B. R. Ambedkar :** There is no question of acquisition at this stage at all. No doubt if government decide to construct certain dams on the Damodar River, certain approach roads must be made for that purpose ; and for that purpose they have served notices on a few people in order to acquire small strips of land for the purpose of making roads. As to the specific question raised in the adjournment motion regarding forced evacuation of thousands of people in hundred of villages in the Hazaribagh districts and Manbhum and Sonthal Parganas, from their homes, it certainly does not arise at this stage because government has no idea as to what will happen, if I may say so. It is very very preliminary.

**Mr. President:** The difficulty I am feeling about this is that, if government have decided that the dams should be put up and if they are taking steps initially for approach roads, what does it matter whether they have been able to ascertain or not as to how many people will have to be evacuated, because the dam will be an established fact ?

**The Honourable Dr. B. R. Ambedkar:** No, Sir; we are still consulting consultants from outside to help us as to what correct

decision we should take. I submit it is very preliminary. I can make no statement to the House at all.

**Mr. President:** What I want to know is, have the government decided that the dams should be put up ?

**The Honourable Dr. B. R. Ambedkar :** It is their project—it is not a final project as yet.

**Shri Mohan Lal Saksena** (Lucknow, Non-Muhammadan Rural) : May I understand that it will come up before the House ?

**The Honourable Dr. B. R. Ambedkar :** It is under examination. We have not yet got the financial sanction for it.

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# 56

## * Workmen's Compensation (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move.

> "That the Bill further to amend the Workmen's Compensation Act, 1923, be taken into considertion."

This is a very simple Bill and the purpose of the Bill is to rectify an injustice caused in the present circumstances to a workman who is drawing Rs. 300 as his wages. As Honourable Members are perhaps aware, under the definition of a "Workman" in the Workmen's Compensation Act, the right to compensation is limited to those workmen who draw up to Rs. 300 as their wages. Before the war it was possible for every workman who drew Rs. 300 as his wages to get the benefit of this Act. Since the introduction of War allowances and other measures such as the grant of dearness allowance, bonuses, good conduct pay and other payments which have been granted to the workmen what has happened is that a workman who formerly got compensation is now deprived of that compensation because his wages come to more than Rs. 300. This is due to the reason that under the definition of the term "wages" as given in the Workmen's Compensation Act all that extra remuneration which the workman gets other than wages is regarded as part of his wages for the purpose of computing his compensation. The result is that a workman who formerly was to get compensation now docs not get it. The Bill seeks to protect such a workman by increasing the maximum monthly wages from Rs. 300 to Rs. 400. The Bill therefore has two provisions in it, one is to amend the definition of the workmen so that instead of limiting the wages to 300 it raises to 400, and secondly, to amend schedule IV to the Act which prescribes the compensation which a workman is

* Legislative Assembly Debates (Central), Vol. I-No. 12, 8th February 1946, p. 714.

entitled to get for death, permanent total disability and temporary disability.

As I said, Sir, the Bill is a very simple measure. It merely copies what has actually been done in Great Britain. There too, in order to protect the rights of a workman who originally got compensation, the limit of wages has been raised from £ 350 to 425. The Bill is not only a simple measure, but it is also a non-contentious measure. The Provinces have been consulted with regard to the provisions of this Bill and they have unanimously agreed to the amendments which are made by this Bill. The proposal also was put forth before the Standing Labour Committee and there too it has secured the unanimous approval of all members of the Committee. Sir, I do not think I need expatiate at a very great length on the provisions of this Bill. With these observations, Sir, I move.

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* **Mr. President:** The question is

"That the Bill further to amend the Workmen's Compensation Act, 1923, be taken into consideration."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause I was added to the Bill.

The Title and the Preamble were added to the Bill.

**The Honourable Dr. B. R. Ambedkar :** Sir, I move.

"That the Bill be passed."

**Mr. President:** Motion moved.

"That the Bill be passed."

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† **Mr. President:** Has the Honourable Member anything to say ?

**The Honourable Dr. B. R. Ambedkar :** As I said this Bill is brought forward for the purpose of rectifying the injustice done to a particular class of workmen. It is not a Bill which is intended to do anything more than that. All that I can say at this stage is that I shall bear the points that have been made by my Honourable friends who have spoken on this Bill and see whether something can be done in order to give effect to the suggestions that they have made. I might tell the House that we

* Legislative Assembly Debates (Central), Vol. I-No. 12, 8th February 1946, p. 715.

† *Ibid.,* p. 716.

have in contempletion a Bill which deals with State insurance, which will include sickness insurance, workmen's compensation, maternity benefit, more or less on the lines of the social security measures adumbrated in England, and I think my friend will find that some of the suggestions, namely that the alteration of the system of lump-sum payments into periodical payments are being carried out in that measure.

**Mr. President:** The question is

> "That the Bill be passed."

The motion was adopted.

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# 57

## Indian Mines (Amendment) Bill

*** The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move.

> "That the Bill further to amend the Indian Mines Act, 1923. be taken into consideration."

This Bill is a very simple measure.

[(At this stage, Mr. President vacated the Chair which was then occupied by Mr. Deputy President (Sir Mohammad Yamin Khan).]

The purport of the Bill is to impose an obligation upon the mine owners to provide pit-head baths "equipped with shower baths and locker rooms for the use of men employed in mines and of similar and separate places and rooms for the use of women in mines where women are employed and for prescribing cither generally or with particular reference to, the numbers of men and women ordinarily employed in a mine, the number and standards of such places and rooms." I do not think there can be any dispute as regards the necessity of providing pit-head baths. It is bound to improve the self-respect of the miner and I am sure about it that it is very desirable that he should return home a clean person, if possible with clean clothes. This measure has been considered by the Coal Mines Advisory Committee which has been appointed by Government in order to administer the Coal Mines Welfare Fund. The Committee has unanimously accepted the proposal that pit-head baths should be an obligation of the colliery owners. In order to give effect to it, the Bill provides that under the rule-making power which is given to the Government of India under section 30 of the Mines Act, the Government shall have the power to make a rule prescribing pit-head bath. That is the main purpose of the Bill.

The second clause of the Bill does nothing more than exempt Government from following the usual procedure in the matter of making rules under the Coal Mines Act which are prescribed by Section 31. Section 31 says that any rules made under the Act shall be first

* Legislative Assembly Debates (Central), Vol. I-No. 13, 8lh February 1946, p. 716.

published and then passed. We wish to exempt the rules that we propose to make under the provisions of this Bill from the provision of previous publication prescribed under Section 31. The reason for providing such exemption is that we are very anxious that this liability not only should be imposed, but should be earned out immediately, we wish to avoid delay. In fact, I might tell the House that the Government are so anxious to have this system of pit-head baths introduced in all coal mines immediately that Government themselves have made a provision by which they are prepared to offer ten per cent of the capital cost of the baths to colliery owners if they undertake to provide such baths within twelve months. In order that this may be done, we do not propose to have these rules subjected to the provision of Section 31. The Bill is so essential and so simple and so non-controversial, that the House will accept it without much ado—Sir, I move.

**Mr. Deputy President** : Motion moved.

"That the Bill further to amend the Indian Mines Act, 1923, be taken into consideration."

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**The Honourable Dr. B. R. Ambedkar :** We want to hasten this thing and that is why we offer this kind of encouragement, that if a mine owner docs construct these baths within twelve months from a given date he will get this concession. Otherwise, he will not get it and he will have to do it at his own cost.

**Pandit Govind Malaviya :** Will not that purpose be served if it were laid down that the mine owners shall get those baths ready within twelve months

**The Honourable Dr. B. R. Ambedkar :** We must give some time.

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* **The Honourable Dr. B. R. Ambedkar :** Sir, I did not think that my Honourable friend Mr. Siddiqui, would be so much perturbed,— he is not here in the House just now—by the shower baths. But I would like to tell the House that the question whether there should be shower baths or not is not an idiosyncracy on the part of the Government or their own innovation. There is, as I told the House, an Advisory Committee, representative of coal miners, coal owners, representative of the Bengal Government and Bihar Government, which advise Government in the matter of the administration of what is called the Coal Miners' Welfare Fund. This question of the sort of baths that

* Legislative Assembly Debates (Central), Vol. I-No. 13, 8th February 1946, pp. 719-20.

should be provided was put before the Committee and I would like to tell the House that in this Committee there arc not only representatives of trade unions, but there arc representatives actually of workmen and workwomen. There is one representative of actual coal miners and there is one representative of women miners and it is with their unanimous assent that Government decided to have shower baths.

So far as I am able to see, I should have thought that a shower bath would be far more effective in the matter of cleaning the person of a worker in coal mines than immersion in water or holding oneself under a running tap. I may also further add that this decision of having shower baths was taken by Government as a result of the experience of Messrs. Tata Iron and Steel Co. Ltd., at their colliery in Digboi. These shower baths have been in existence for a considerable time there and to our great satisfaction we found mat the workers were making very good use of the shower baths and that they had no sort of objection at all. With regard to the question of soap, I can give the assurance to the House that we do intend to provide soap to every miner under certain regulations, and I think the House need have no anxiety on that account.

I hope this will satisfy Honourable Members. An Honourable Member said that this is merely a declaration and that there is no penalty. If the Honourable Member concerned were to refer to section 39, he will find that that is a general penalty clause which imposes penalties.

**Prof. N. G. Ranga :** There is only one little difficulty in regard to women. They do not want their hair also to be washed with mere water ; they may require oil or something.

**The Honourable Dr. B. R. Ambedkar:** They may be provided with caps.

**Mr. Deputy President:** The question is

> "That the Bill further to amend the Indian Mines Act 1923, be taken into consideration."

The motion was adopted.

Clause 2 and 3 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Preamble were added to the Bill.

**The Honourable Dr. B. R. Ambedkar :** Sir, I move.

> "That the Bill be passed."

The motion was adopted.

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# 58

## * Factories (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Mr. President I move :

"That the Bill further to amend the Factories Act, 1934, be taken into consideration".

The Bill has altogether seven clauses ; but of these seven clauses there are only two which are fundamental. They are clause 2 and clause 7 of the Bill. These two clauses deal with two separate questions. Clause 2 deals with the question of reduction in the hours of work and clause 7 deals with the rate of payment for overtime.

Taking for consideration the first question, namely, the reduction in the hours of work. I would like to state to the House what the present position is. The present position is that under section 34 of the Factories Act, for perennial factories the maximum hours of work per week are fixed at 54, while for the non-perennial or seasonal factories the total is 60 hours a week. Clause 2 of the Bill proposes to make changes in the maximum hours of work fixed by section 34 for perennial factories the maximum is fixed at 48, while for the seasonal factories the maximum is fixed at 54. It might be desirable to mention to the House why Government has thought it necessary to bring this amending measure.

As some members of the House will remember, this question regarding the hours of work in factories was considered for the first time in a convention which was held in Washington in the year 1919. The convention fixed 40 hours as the maximum for factory labour, but on account of the special conditions prevalent in India, the conference agreed to allow India to retain the maximum of 60 hours, which was then prevalent. Consequently, the Government of India allowed the 60 hours limit to continue. The matter was then examined by the Royal

* Legislative Assembly Debates (Central), Vol. I-No. 7, 21st February 1946, pp. 1304-6.

Commission on Labour, and Royal Commission on Labour recommended that although the international convention did not put any obligation upon the Government of India to bring the Factory Law in consonance with the convention established in Washington, they recommended that nonetheless it was necessary that the hours of labour in India should be fixed at 54. That recommendation was accepted by the Government of India and an amending Bill was brought in the year 1934, underwhich the present maximum which is fixed by section 34 was brought into operation. The Government of India now think that time and circumstances have arisen whereby it is necessary that the Indian factory workers should be allowed the benefit of the maximum hours of labour that were fixed by the Washington Convention ; and that is the reason why this Bill has been brought forward.

I need not eleborate the reasons why Government regards this matter as somewhat emergent. But I might mention briefly the considerations that have moved the Government of India to bring forward this measure. I think it will be agreed that apart from other considerations, if one were to take into account only the climatic conditions that prevail in this country, it would be agreed that for that, if for no other reason, the hours of work in a country like India ought to be much less than the hours of work that arc prevalent in other countries. There is also the other reason, namely, that during the war, under section 8 of the Ordinance, we had permitted the Provincial Governments to allow many exemptions from the provisions of the Factories Act which had the effect of increasing the hours of work for factory labour and the Government thinks that the strain arising from the extension of the hours of work during the period of the war was so great that it is necessary in the interests of the health of the workers that they ought to be now granted a substantial relief. I might also mention to the House that the Government also thinks that this measure will have some salutary effect in the matter of relieving unemployment which is likely to arise as a result of retrenchment. If 48 hours and 54 hours which have been fixed by the present Bill.....

**Sjt. N. V. Gadgil** (Bombay Central Division: Non-Muhammdan Rural): Make it 40.

**The Honourable Dr. B. R. Ambedkar :** ..... were to be of universal operation, it is, I think, logical that more people would be

employed than are employed now and that to some extent it would be a relief in our post-war difficulties. Some members are probably thinking that this might be a very radical measure. I would like to disabuse them of any such notion. The Bill does not make any radical change in the practice which exists at present and I would like to give the house some figures in order to show to what extent 48 hours in perennial factories and 54 hours in seasonal factories have become the order of the day. In the year 1939, there were altogether—I am giving figures of perennial factories—8,644 factories. Of them 2,315 were working at the rate of 48 hours a week which gives a percentage of 27 per cent. In 1940, the total number of factories was 8,115 and those that worked on 48 hours were 2,525 which gives 28 per cent of the total. In 1941, the total was 10,261. Those that worked on 48 hours were 2,921 which was 29 per cent. In 1942, the total was 10,483. Those that worked on 48 hours was 2,687 which gives a total of 26 per cent. In 1943, the total was 11,239. Those that worked on 48 was 2,761, which gives a total of 25 per cent. In 1944, that total was 11,835. Those that worked on 48 hours was 3,191 which gives a total of 27 per cent. The same facts with regard to seasonal factories are as follows. In 1939, there were 6,252 factories. Of them 2,409 worked on a basis of 54 hours which gives 39 per cent. In 1940, the total was 6,239. Of them 2,440 worked on the basis of 54 hours, which is again a total of 39. In 1941, the total was 6,265. Of them 2,439 worked on 54 hours which again is a percentage of 39. In 1942, the total was 5,925. Those that worked 54 was 2,358 which gives 40 as the percentage. In 1943, the total was 6,255. Of them 2,398 worked on a basis of 54 which gives a percentage of 40. In 1944, the total was 5,950 and of them 2,368 worked at the rate of 54. That gives 40. (An Honourable Member : "The rest is more than 54 hours" ) Not beyond the maximum but above the figures now fixed in the Bill.

**Shri Sri Prakasa** (Benares and Gorakhpur Divisions: Non-Muhammdan Rural) What is the number of men employed ?

**The Honourable Dr. B. R. Ambedkar :** I am coming to that. Looking at the matter from the point of view of the hands, we unfortunately have not got very complete data but from the reports of the Fact Finding Committee which the Government of India appointed recently, the figures collected stand as follows. The total factory hands

both in seasonal and non-seasonal factories comes to 25,20,251. These are the latest figures for 1945. Those that were employed in factories working at 48 to 54 comes to 9,47,000 which is 37 per cent, of the total. It will therefore be seen that there are already a great number of factories both perennial and seasonal which have practically adopted the maximum which is now fixed in the Bill and from that point of view it cannot be said that the Bill is making any very great radical change in the situation as it exists today.

There is one other point which has been raised by the critics of the Bill to which I would like to give a reply. It has been said that this Bill will affect production, and that it will reduce production and this point has been emphasized, if I may say so, by the cotton textile mills. They have contended that from their point of view and from the point of view of the country this is an inopportune measure. There is a great deal of shortage of cloth in the country. In fact there is a cloth famine and they say that if anything was necessary in the circumstances of the day, the mills, particularly the Cotton mills, ought to have greater latitude in the matter of hours of employment, so that the deficiency in the matter of cloth production might be made up. Now, I had an examination made of the effect of the reduction in the hours of labour on production, particularly with regard to the cotton mills by the Labour Department and I have here some very interesting figures. I have a great lot of figures but I do not want to weary the House with them but I will just refer to the consumption of cotton, increase of loom, spindles and so on, so that the house may get an idea. Now, I take the figure for the year 1934, the year in which the change in the hours of work was made last time. They were brought down from 60 to 54. Now, in 1934, the position was as follows. There were 352 mills. There were 9,613,174 spindles, 194,388 looms, 384,938 hands employed and the number of cotton bales consumed was 2,703,994. Take the next year, 1935, when the provisions of the Act became effective. The number of mills had increased to 365. Spindles had increased to 9,685,175, looms had increased to 1,98,867. The number of hands increased to 4,14,884. The bales consumed increased to 3,123,418. I will take the last year available to me, that is 1938. The total number of mills had increased to 380. The number of spindles had increased to 1,020,275.

**Shri Sri Prakasa :** Will the Honourable Member give them in lakhs ?

**The Honourable Dr. B. R. Ambedkar :** They are all given here in millions. The notation which I am using is quite famliar to the Honourable Member on the other side. He is not so ignorant as he is showing himself to be.

The number of looms is 200,286; hands employed were 437,690, the number of cotton bales consumed 3,662,648. Therefore, my submission is that so far as experience of the past is any guide to the consequences of the future, I am sure that any such fear that may be entertained is unfounded. However, the Government of India does recognise that there is cloth famine, if not famine, there is shortage of cloth and that under the circumstances, it would be necessary to make some provision, so that should occasion arise, the mills or the other establishments which require longer hours to work may have the liberty to do so. Accordingly, there has been inserted in the Bill a clause which is clause 5 and which amends section 44. It will be seen from the wording of the clause that power is given to the Provincial Government to extend the operation of the order for six months at a time, it was proved that public interest as distinguished from emergency existed. There is already provision for suspending the provisions of the Factory Act whenever there is emergency. It was felt that the shortage of cloth may not be regarded as an emergency and consequently Provincial Governments may not be in a position to use the sections which exist at present in the Act. Consequently as a measure of greater precaution, the Government has inserted in the Bill a clause which now makes provision for another category of situation which is called public interest. So, I hope that that clause will allay such fears as the cotton textile millowners may have with regard to the effect of the Bill on the production of cloth.

Sir, the other clauses, namely, clauses 3, 4 and 6 arc purely consequential. Clause 3 reduces the daily maximum from 11 to 9 for perennial factories and from 11 to 10 for seasonal factories. That is in consonance with the major change which we are making by fixing a new maxima for perennial and seasonal factories. Clauses 4 and 6 merely reduce the spread over from 13 hours to 12 and I am sure they need no comment from mc. With regard to the second main provision

of the Bill which as I said deals with the rate of payment for overtime, Honourable Members will see that the existing Factory Act does not have a uniform rule with regard to payment of overtime. In fact, there are two different rules, one for perennial factory and the other for seasonal factory. For the seasonal factory, if the hours of work are above 60, then he gets $1^1/_2$ for the non-seasonal factory, there are really two different rates. If the working hours are between 54 to 60, then the overtime is $1^1/_4$ times, if it is above 60, it is $1^1/_2$ times. As Government thinks that as this distinction or differentiation in the rates of payment of overtime is unjustifiable, that it is desirable that there ought to be one single rule for overtime, irrespective of the nature of the factory, to which the rule applies. Consequently the amendment in the Bill proposes that for all overtime, the rates should be one and a half times. I hope that the house will realise that this is a simple measure, that it is a measure long overdue and that it will give its support to this belated measure of bringing Indian legislation in accord with the standards laid down by the International convention. Sir, I move.

## Factories (Amendment) Bill

***The Honourable Dr. B. R. Ambedkar :** Sir, I have listened to the speech which the Mover made in support of his amendment and if that speech was the only speech in support of the amendment I certainly would have resisted the amendment, because, so far as I was able to hear, the Honourable the mover of this amendment said that the reason why he had moved his amendment was because I had not explained in my speech whether the Government of India, before putting forth this Bill, had consulted the different Parties to this measure. I certainly failed to say so but I thought that the Honourable member of this house were aware of the fact that for the last several years there has been in existence an institution called the Labour Conference which meets annually and which has a Standing Committee which meets every quarter. It consists of the representatives of labour, the representatives of employers and the representatives of the Provincial Governments. The Government of India, in so far as it is possible, for it to do so, always put forth their legislative measures

* Legislative Assembly Debates (Central), Vol. I-No. 7, 21st February 1946, pp. 1312-13.

before the Conference in order to ascertain the opinion of the different Parties to those measures. The same, Sir, has been the case with regard to this particular measure. I have no particular information with me now as to how many times this measure had come before the Standing Labour Committee or the Labour Conference but I have not the slightest doubt in my mind that this measure was discussed threadbare in one of the two bodies (I forget which). We had come to know that the cotton millowners had certain difficulties and certain objections and it was to meet their point of view that a particular amendment was made. Having regard to that, I do not think that there is any substance in the point made by the mover of this amendment. As I said, if that was the ground and the sole ground, I would have resisted, but, Sir, the debate as it developed has taken a very curious turn.

**Prof. N. G. Ranga** (Guntur-cum-Nellore : Non-Muhammdan Rural): A very welcome turn.

**The Honourable Dr. B. R. Ambedkar :** It is probably a welcome turn. I have noticed from the speeches that have been made from different part of the House that there is now a regular competition in love for labour. One section says one thing and another raises it as though it was an auction by making a higher bid and third one still further.

**An Honourable Member :** You can bid higher.

**The Honourable Dr. B. R. Ambedkar :** In all these debates I am rather unhappy that there were persons in the House who were members of the Royal Commission and who ought to have taken a personal interest in seeing that the measures which they had recommended when they were members of the Commission were put forth, if not from the Government side, at least from the non-official side, should turn my inside out and represent that I was a Tory of Tories. I do not accept that charge but I do feel that it is necessary that this Bill should go to Select Committee so that all the statements that have been made, the claims that have been put forth and the view points that have been urged should be put to the test of actual voting in order to see whether the sentiments that have beeen expressed are mere sentiments or that they arc real convictions. If I did not do so, it is open to the members of the Opposition side to say that as I was a Tory and do not want to advance the Bill beyond the limits that have been fixed, that I on that

account shirked accepting this motion. I therefore accept the motion. (At this stage Honourable Members rose in their seats).

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***Sri R. Venkatasubba Reddiar:** To the names I have already submitted in regard to the Select Committee, I want to add two more names—Sri T. A. Ramalingam Chettiar and Rai Bahadur Bhattacharyya.

**The Honourable Dr. B. R. Ambedkar :** I accept them. **Mr. Deputy President:** The question is :

> "That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. B. R. Ambedkar, Prof. N. G. Ranga, Sjt. N. V. Gadgil, Mr. Vadilal Lallubhai, Diwan Chaman Lall, Pandit Balkrishna Sharma, Mr. Muhammad Nauman, Mr. Muhammad M. Killedar, Sir Hasan Ahrawardy, Mr. S. C. Joshi, Mr. A. C. Inskip, Miss Maniben Kara, Mr. S. Guruswami, Chaudhry Sri Chand, Sri T. A. Ramalingam Chettiar, Raj Bahadur D. M. Bhattacharya, and the Mover, with instructions to report on or before the 7th March, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

The motion was adopted.

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*Legislative Assembly Debates (Central), Vol. I-No. 7, 21st February 1946, p. 1318.

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## * Rehabilitation Plans

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Mr. President, In the course of the observations that fall from the Leader of the European Group, he said that they were not quite sure whether the resettlement and rehabilitation plans of the Government of India were proceeding apace in order to meet with the volume of demobilization that was going on. Sir, it is for this purpose that I rise now in order to give the House the requisite information on this subject. Sir, the subject of resettlement is divided into two parts : settlement on land and settlement in industry. The question of the settlement on land is a matter which has been left for the Provincial Governments to carry on. The reason for leaving settlement on land to the Provinces is, I think, quite obvious to the House. The land, by constitutional law, is the subject matter of the Provincial Government. Obviously no matter what argument there may be in support of the position that the whole subject matter of resettlement should be under one Central Government, that argument could not dislodge the opposite argument which is founded on the fact that the land is a Provincial subject. It is, therefore, by mutual agreement that that question has been left to the Provincial Government. The only subject that the Government of India deals with is resettlement in industry. It is on this subject that I propose to give some account to the House.

The subject of resettlement has been placed under the charge of the Directorate-General of Resettlement and Employment. The department or branch is divided into seven different categories ; (1) Employment Exchange, (2) Technical Training, (3) Vocational Training, (4) Rehabilitation of the Disabled Soldier, (5) Canvassing employment for ex-servicemen and the disabled, (6) Follow-up service, (7) Statistics of Discharges and Releases.

* Legislative Assembly Debates (Central), Vol. Ill-No. 4, 5th March 1946, pp. 1898-1900.

The functions relating to canvassing of employment for ex-servicemen and the disabled soldier as well as the next function of what is called 'follow-up' service and that of statistics of discharges and releases, are obviously so necessary and so self-explanatory that I do not think it is necessary for me to spend any time to explain why these services have been instituted and what their purpose is. I will therefore leave these subjects for Honourable Members to study from this book which has been issued by the Government of India in the Labour Department. A copy of it is in the Library and if any Honourable Member desires to have a copy for his personal use, I shall be very happy to circulate them.

**Sri** M. **Ananthasayanam Ayyangar :** What is the title ?

**The Honourable Dr. B. R. Ambedkar :** It is " The Directorate-General of Resettlement and Employment ".

**Babu Ram Narayan Singh :** Please circulate it.

**The Honourable Dr. B. R. Ambedkar** : Copies of it were given to the Labour Advisory Committee the last time when it met. The only question on which detailed explanation is necessary is in regard to the Employment Exchanges, Technical Training, Vocational Training and Rehabilitation. I will take each item seriatim.

With regard to technical training, the position is this. The Government of India have certain technical centres for technical training. In those centres they have reserved at present 14,000 seats for demobilized personnel. The training, the maximum period of it, will be for one year and the number of trades that will be taught in those technical training centres will be about 48, the detailed list of which is given on page 55 as Appendix VII of this booklet. Then, Sir, with regard to vocational training : it deals with training in agriculture, in dairy farming, in cottage industries, in clerical and commercial occupations. The scheme is at present prepared and is sent round to the Provincial Governments for their approval. The proposal is that in these vocational training centres 20,000 scats will be reserved for training in occupations relating to agriculture and 50,000 in other occupations.

Coming to the question of Rehabilitation. This matter is shared between the War Department and the Labour Department, and the reason for such sharing will be obvious. The rehabilitation of a soldier,

who has received injuries in the course of the war obviously falls into two stages. The first stage is the medical stage where questions of healing the wound and post-hospital rehabilitation are of primary importance. Obviously, the soldier being in the service of the War Department, this matter has been left to the War Department to deal with. After he has come out of the first stage of rehabilitation, which is the medical stage, he is handed over to the Labour Department and the Labour Department then deals with him. For the purpose of dealing with the rehabilitation of a soldiar, the Labour Department has two sorts of centres opened in this country. One is called the basic Centre. The accommodation provided is for 5,000 such persons. The second sort is the special training centre. There the accommodation provided is for 3,000 persons. The purpose of the Basic Centre is to test the aptitude of the man. What are his aptitude ? What is it that he is likely to be the special training centre where he is taught some occupation which is most suitable having regard to the particular sort of injury that he has received. The Labour Department plans to open altogether six centres for dealing with soldiers requiring rehabilitation. They have opened one at Jaladi near Bangalore and they propose to open another very soon in Aundh near Poona.

I will now come to the question of Employment Exchanges, which of course is the most important part of the resettlement plan. With regard to the Employment Exchange, the labour Department has come to the conclusion that it would be enough to start with 71 such Employment Exchanges. They have today on the ground set up 38 such Exchanges and before long, they hope to complete the maximum number they have decided upon.

Now, Sir, I know that there is a certain amount of criticism both from members of the House as well as from the public outside that the question of setting up of Employment Exchanges is not progressing as rapidly as it should and I should like to meet that criticism by submitting to the House certain facts which would show why the labour Department cannot rush the starting of these Employment Exchanges. The one thing which is necessary to remember is that unless and until an employment exchange is managed by a man who has had training, it is bound to fail. Let it be remembered that Employment Exchanges are a very specialised sort of work—the most specialised type of work.

An Employment Exchange would completely fail if it were placed in the hands of a man who is not trained for the job. Therefore, before starting any Employment Exchange, it is necessary to give a certain amount of training to a man who is to be in charge of the Employment Exchange. That is, therefore, one difficulty why it has not been possible to rush in the matter of starting our Employment Exchanges.

**Mr. P. J. Griffiths:** Where is the training done ?

**The Honourable Dr. B. R. Ambedkar :** I am just coming to that. We have therefore established a training centre in Delhi. It is a sort of a school in the charge of Mr. Jones, whose services have been lent to us by the Labour Department in England. He runs this training centre. In that centre training is given in all aspects of the employment of an Employment Exchange.

**Prof. N. G. Ranga :** How many are you training at a time ?

**The Honourable Dr. B. R. Ambedkar :** I am sorry I cannot give you the exact figure. These books will give the information. I believe 35 at a time.

**Prof. N. G. Ranga :** How long do you take to recruit them ?

**The Honourable Dr. B. R. Ambedkar :** The difficulty arises from the fact that all these posts to be filled on the recommendation of the Federal Public Service Commission and the minimum time that the Federal Public Service Commission takes is somewhere about three months. I do not know whether—and I am not prepared to say that the time taken by the Federal Public Service Commission is unduly long. (Interruption by Prof. Ranga) I am merely stating the reason why it has not been possible to start them soon. The first difficulty is that it takes a pretty long time to have a man recruited through the Federal Public Service Commission. Secondly, after he has been recruited, we have to give him training. All this therefore takes time and I do not regard the time taken as wasted.

Another point which people, who criticise the Labour Department for not having set down all the Exchanges, raise is this. The Labour Department have not got all the Exchanges on the ground. This does not mean that there is no organisation on the ground which is able to deal with the subject. As might be known, there is already a Recruiting and Employment Bureau in the War Department which has been doing this work and the policy of the Government is that in course of time

this organisation should cease to deal with this work and the whole work should go over to the Labour Department. The Labour Department, while it goes on increasing its Exchanges also goes on taking over the work that is at present dealt with by this recruiting organisation in the War Department. Consequently, the fact today is that there are really two different organisations working in full cooperation, one in the Labour Department and another in the War Department and in course of time we hope that all the work that is now carried on by the recruiting organisation will come to the exchanges and we shall than be able to set up a full-fledged and competent organisation to deal with this question of resettlement.

Sir, I hope the House will be satisfied that the Labour Department is doing its best in the circumstances in which it has been placed. I would just like to say one word. I think it will be appreciated that this question of resettlement came to us as matter of great surprise in view of the fact that the war closed before we expected. However, I am quite certain that whatever is possible to be done within the short space of time that is available to us is being done and I have no doubt that the soldier who is demobilised will find this organisation of great use to him in meeting the difficulties which he is confronted with in civil employment.

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## * Welfare and Social Security of Workers

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Mr. President, the object of this cut motion is quite clear from the notice which has been given by the Honourable Member. He proposes to discuss the failure of the Executive Council to provide for three specific matters which he has mentioned, namely, unemployment relief, adequate deamess allowance and social security benefits. The first point of comment that I would like to make with regard to this cut motion is this that if the cut motion was a general one, I have no doubt about it that it should have stood on a different footing but as the House will see the cut motion is restricted to the employees of the Central Government. And I venture to suggest that this is a very grave fault in this cut motion. I do not know whether it is the wish and the desire of the Honourable Mover of this cut motion that the Government of India should frame its policy with regard to the three matters that he has referred to in such a manner as to create a privileged class of workers in this country on no other account except that they happen to be employed by the Central Government.

In this country Government is not the only party that employs labour. There is a large amount of labour employed by private employers. As everybody in this House would agree the Government of India while framing its policy for the betterment of labour should frame it in such a manner that it should not create a privileged class on the one hand and an under privileged class on the other. The Government of India is not merely an employer of labour. It is a State. It is a government and it has not only responsibility for those who are in the immediate employment of the Government of India. It has also a responsibility for labour in general. If therefore all these complaints which have been

* Legislative Assembly Debates (Central), Vol. III-No. 7, 11th March 1946, pp. 2138-40.

referred to by the Honourable Mover have to be dealt with by the Government of India, it is incumbent on the Government of India, as in duty bound to frame its policy in such a manner that the policy shall benefit labour in general and not any particular class of labour.

Now Sir, my Honourable friend mentioned that the Government of India maintains various classes of allowances and salaries for different classes of its own employees. I confess that I am painfully aware of that fact but what I would like to ask is this—who is responsible for the gradation which one sees now in the scale of payment either of basic wage or of dearness allowance or of gratuity or any of the perquisites which the employees working under the Government of India are receiving today. I have no hesitation in saying that the fault entirely lies with the leaders of labour. Here we have got the Railwaymen's Federation. Any one who studies the policy of the Railwaymen's Federation, I think, will agree with me that it has always taken a parochial view of its own interests. The Federation happens to be in control of a strategic service on which the essential life of the community depends and they use that position for the purpose of coming down to the Railway Department and insisting that certain privileges shall be given to them. I may also say that they get certain Members of the Legislature interested in their case and there develops a partisan spirit which is blind to all other interests and concentrates itself on securing certain special privileges for railway workmen alone. The railwaymen, although there is no open declaration to that effect, maintain that they must always be in a leading position with regard to any other class of employees of the Central Government. If the Postal Department is given something which happens to equate the scale of wages of the postal employees with the railway employees, the railway employees immediately become dissatisfied and they say that owing to the margin of privilege which custom, usage or their position has enabled them to secure they must have a further increase, so that their privileged position is maintained. This sort of thing is going on and the position of (lie Labour Department has become completely difficult. My Honourable friend maintains or rather sugggested that the Labour Department was not establishing arbitration boards as it should do but what is the advantage of appointing adjudication boards for specific cases, for specific service each case being dealt with in isolation without

relation to the other. The result is you have *ad-hoc* boards, *ad-hoc* reports, *ad-hoc* decisions which have to be dealt with *ad-hoc*. The result is there is always a disparity, always a divergence. Therefore the situation which we have at present is entirely the result of the faulty organisation, if I may say so, of the working classes of this country and particularly those who are employed under the Government of India. I think the House will agree that the decision which the Government of India has recently taken in the appointment of a Salaries Commission is a decision in the wise direction because the whole question of the wage stracture in this country and the relation of wages paid by the Government of India to its different classes of employees and the relation of wages paid to them to the wages operating in private industry, will be examined by this Commission. I hope that we shall be able to get some recommendations from this Commission from which we shall be able to establish in this country some kind of a uniformity in the wage system, so that everyone would know the underlying principles on which the wages arc based.

The other difficulty I find is that most of the employees of the Government of India, who arc employed in certain services which earn revenue, have come to regard that they have a first charge on the revenues of their Department. The railway employees think that because the railways are earning a profit, it is they who must get something, more than anybody else, out of the profits that the railways have earned. If the Postal employees find that the Postal Department has made a profit, they also raise a claim on the ground that their betterment, a rise in the standard of their living, should be regarded as a first charge on the revenues of that Department. Now, Sir, so far as I am concerned, I have not the slightest doubt that I cannot accept that position and I shall always resist it. The revenues earned by the Government of India—no matter whether they are raised by taxation or whether they are raised by any commercial undertaking—are the revenues of India. They are not the revenues of any particular class of people. They are not the revenues of any particular Department of Government of India. They are the revenues of the Government of India and the whole general public has a claim on those revenues and, as long as I am in charge of the Labour Department, I shall always resist any such claim made by any class of employees, namely, that because

their Department earns any profit, they have the first charge upon it. That would lead to chaos and I am certainly not going to be a party to it at all.

Now, Sir, my friend, the Mover of the cut motion, has raised the question of unemployment. I am not going to deal with the specific questions that he has raised, but I am going to deal generally with the question of unemployment benefit and I have no doubt that that is a most fallacious argument. Unemployment must be relieved by employment and not by any relief as such. Unemployment by the payment of relief is a possibility when unemployment is on a very small scale, when it is only a tail and not the body of it. In this country, as everybody knows, practically over 50 to 60 per cent, of the people are unemployed and we have to find employment for them. If anybody were to come forward and say that the 50 or 60 per cent, of unemployment that exists in this country ought to be relieved by the payment of relief, I have not the slightest doubt in my mind that the State would come to a ruination if it undertook that kind of obligation. My friend, therefore, must agree that so far as unemployment is concerned, relief must be sought in the direction of a greater industrialisation. It is only rapid and greater industrialisation that can give us relief from unemployment, and as this House knows, the Government of India has already prepared its plan and has already announced its decision with regard to Industrialisation. I will, therefore, not dwell on that subject at any great length but I would like to tell the House what exactly the Government of India has done with regard to the advancement of general betterment and providing for social security with regard to the workers in this country.

At the Honourable House knows, the Government of India has already announced its policy with regard to labour. I have no time to read the portions which deal with that question. This information will be found in the second part of the Reconstruction Committee of Council under Head XXV, pages 55 and 56. Nobody can, therefore, say that the Government has not an objective in this matter. We have and we have laid down the objective. I will go a step further and say that it is not that the Government of India has merely laid down its objective but the Government of India has also prepared programme of action. With regard to the programme of action, the House will know that the Government of India has appointed or did appoint two years ago,

a fact-finding Committee in order to take a survey of the entire condition of workers in this country. So far, we have received 34 reports from this Committee on 34 different industries besides one general report giving a bird's eye-survey of all the specific reports that have been made. Of these reports, 18 have been already printed and the rest of them are with the printers. Apart from obtaining this general survey of industrial condition of workers, the Government of India have appointed a Special Officer, Professor Adarkar, to prepare a report on the health insurance of workers in this country. As I said, we have not only an objective, but we have a programme, and we are now in possession of the facts on which any plan of social security could be based. The next step now for the Government of India is to decide how to plan for social security. As the House will know there are at present two views. One view is that we should go stage by stage, as other industrial countries will, dealing with each case of insecurity specifically and building an administrative machinery for the purpose of giving relief in respect of that case of insecurity. There is another school which is more or less influenced by the Beveridge Plan and which proposes to have an over-all policy of security covering all cases of insurance at one shot. I do not wish to approach the issue in any matter and to say as to which plan would be better. The Government of India propose to appoint a Committee or such other body as it may be advised to tell the Government of India, after examination of the reports that have been made as to the method by which they should proceed in this matter whether they should proceed stage by stage or whether they should take up such ambitious plan as the one adumbrated in the Beveridge report. This survey, which I have given which I am afraid is all too brief, I have had no time to elaborate or to develop, will convince the house that the complaint made by the Honourable Mover of this Cut Motion that the Executive council is complacent is indifferent and has taken no steps to provide for the welfare and security of the workers is entirely unfounded and I hope that the House will not accept the Cut Motion that is moved by him.

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## * Muslims have fared much better in Labour Department

**Mr. President :** Discussion will now be resumed on the cut motion of Mr. Jaffer.

**The Honourable Dr. B.R. Ambedkar :** (Labour Member): Mr. President, it must be within the recollection of many Members of this House that many stones have been hurled at the Labour Department.....

**Nawabzada Liaquat Ali Khan** (Meerut Division—Muhammadan Rural)—Bricks, not stones.....

**The Honourable Dr. B.R. Ambedkar :** Or bricks, during the last week which preceded this cut motion. It is only fair that I should rise in my seat to state how the position of Muslims stands in My Department. Yesterday I listened to a sort of running commentary by the two speakers who spoke on this cut motion, they gave some figures regarding the position of Muslim employees in the different Departments of the Government of India. As I listened to that commentary, I cannot help saying that, having the facts before me, I felt considerably proud that the Muslim employees under the Labour Department had certainly fared much better than the story that was revealed by the speakers with regard to other Departments of the Government of India. That this is no vain boast but that it is supported by facts is what I propose to do during the few minutes that I propose to occupy today. I have collected, and if I may say so, I have taken great pains in collecting figures regarding the percentage of the employees of the Government of India in the Labour Department, not only in the Labour section, but in the P.W.D. and in all other attached offices, figures which show what the position of the communities is, the position of

*Legislative Assembly Debates (Central), Vol. III-No. 10, 14th March 1946, p. 2406.

the Muslims is as well as the position of the other minorities. But I quite realise that within the time that I have it would be quite impossible for me to lay out in completeness the position of these different communities, and therefore I propose today merely to give the figures of Muslims—not only the totals but also the percentages, so that the members of the Muslim League Party may know what exactly the position is.

I begin with the communal composition of the Labour Department secretariat, and in doing so I propose to give not merely the figures as they stand now, but to give the figures on a comparative basis. I think the comparative basis is very necessary and very essential. So far as I have been able to understand the working of this rule, I think I may say that it is somewhat like shooting at a target—a target has a bulls eye, it has an inner circle and it has an outer circle. The percentages are the bulls-eye, undoubtedly. But I do not think that it would at all be possible for any member of the Government of India, no matter what his personal predelictions may be, that he can arrange the services under him in such a manner that he would always be able to hit the bulls eye. What I submit is that there should be an endeavour on the part of every member to see that no community as far as possible is pushed out of what is called the centre, and the question therefore that we have to consider in passing judgment upon the doings of any particular Department is to know whether the position of any particular class of employees in that Department has deteriorated or has bettered, and from that point of view I think a comparative statement is the proper way of studying this matter.

I have collected figures in all cases for 1939 and for 1946-March. I said that I will first present the figures with regard to the Labour Department Secretariat. The gazetted posts in the year 1939 were 12 and the Muslim percentage was 8 per cent. In 1946, the total number of gazetted post is 80 and the Muslim proportion is 20 per cent. I will give the figures for the non-gazetted posts. In 1939 the total number of such posts was 75 and of that the Muslims had 23 per cent. In 1946 the total number of posts was 457, and the percentage of Muslims is 24.

Now I will come to that much-talked of C.P.W.D. I will give the figures for the gazetted posts. In 1939 the total number of gazetted posts in the C.P.W.D. was 43., of which the Muslims had 21 per cent. In

1946 the total number of posts was 181, and notwithstanding the difficulties to which my Honourable friend the Home Member referred in the matter of observing the communal proportions during the war emergency, the Muslims had 21.1 per cent. Now, this probably may not quite give enough comfort for the Mover of this cut motion, and I therefore propose to take the time of the house further to analyse the composition of the gazetted posts in the C.P.W.D. in the year 1946, taking the different grades for finding out the percentages. In Superintending Engineers, the total posts are 14 and there is one Muslim—which gives 7 per cent. Of Executive Engineers there are 64 and the Muslim percentage is 18 per cent. Electrical Engineers are 12 and the Muslim quota is $6_{2/3}$ per cent. Assistant Executive Engineers— the quota for Muslims is 14 per cent. Temporary Engineers total 72 and the Muslim percentage is 32 per cent. While discussing the C.P.W.D. one of my Honourable friends—I forget which it was, mentioned the question of contracts of the Lodi Road.....

**Mr. Ahmed E.H. Jaffer** (Bombay Southern Division—Muhammadan Rural): Myself.

**The Honourable Dr. B.R. Ambedkar :** I think yourself. I forget exactly the figure mentioned by the Honourable Member.

**Mr. Ahmed E.H. Jaffer :** 5 Crores.

**The Honourable Dr. B.R. Ambedkar :** His complaint was that in the contracts for the Lodi Road works, the Muslim contractors got a very small percentage. I 'forget the exact figure.

**Mr. Ahmed E.H. Jaffer :** I referred to the Lodi Road colony in particular and there are so many others in general.

**The Honourable Dr. B.R. Ambedkar :** The Honourable Member made his speech towards the end of the day and it was impossible for me to get the necessary figures but the figures are these.

**Dr. Sir Zia Uddin Ahmed** (United Provinces Southern Division—Muhammadan Rural): There was no necessity for you to intervene at this stage. You could have waited for some time longer.

**The Honourable Dr. B.R. Ambedkar :** I am very much obliged to my Honourable friend for this advice but I thought it desirable to let the Muslim League have sufficient time for their oilier cut motions. That is the reason why I intervened. Otherwise it was really a general motion. I had no desire to intervened at all and there was no necessity

to. It is only to alley the fears which some Members have about the Labour Department that I go up.

**Mr. Ahmed E.H. Jaffer :** Very kind of you.

**The Honourable Dr. B.R. Ambedkar :** The position with regard to the Lodi Road works was this. According to the information supplied to me by the Chief Engineer, the Muslims have got altogether contracts worth 10.5 lakhs of rupees, which is a figure much higher than the figure mentioned by my Honourable friend.

**Mr. Ahmed E. H. Jaffer :** Out of?

**The Honourable Dr. B.R. Ambedkar :** Out of three crores. My Honourable friend will also remember and take the fact into consideration that on these works the Executive Engineer was a Muslim ?

**Mr. Ahmed E.H. Jaffer :** What about the official pressure put on him not to give it to Muslims ?

**The Honourable Dr. B.R. Ambedkar :** My friend is making all sorts of allegations. I hope he has got sufficient evidence to back them up. Nobody has drawn my attention to them. If my friend will give me the facts, I will certainly make inquiries.

**Mr. Ahmed E.H. Jaffer :** I will give it to you on the floor of the House.

**The Honourable Dr. B.R. Ambedkar :** The fact is that there is a Muslim Executive Engineer in charge of these works. The second fact is that an officer of the Central P.W.D. who is in charge of works, whether he is a Muslim or whether he is a Hindu, no matter what community he belongs to, he is bound by the Central P.W.D. Code. The Central P.W.D. Code requires that the contracts shall be given to a man whose tender is the lowest. I have made inquiries overnight and I have been informed by the Chief Engineer that there was no Muhammadan whose contract was the lowest who did not receive the contract.

**Mr. Ahmed E.H. Jaffer :** On a point of order.....

**The Honourable Dr. B.R. Ambedkar :** I am not giving way. I have very little time.

**Mr. President :** Let the Honourable member go on.

**The Honourable Dr. B.R. Ambedkar :** These rules of the Central P.W.D. that the contract shall be given to the lowest bidder are subject to scrutiny from two different directions. One is the Auditor General

and the second is the Public Accounts Committee. Both of them would require the departmental officer who broke this rule to give the necessary explanation as why he did so.

**Syed Ghulam Bhik Nairang :** That will be a post-mortem.

**The Honourable Dr. B. R. Ambedkar :** It is a question whether the rules arc observed or not.

**Dr. Sir Zia Uddin Ahmad :** The rules can be changed ?

**The Honourable Dr. B.R. Ambedkar :** The Honourable Member knows more about it. He did a great deal of work in the Aligarh University. He ought to know something about the P.W.D. and doing the work of this kind. I cannot go into it now.

Let me take the Estate Office. In the Estate Office there are altogether 8 gazetted posts. Of them one is vacant. There the position is that there arc six Hindus, one Scheduled Caste. There was one Muslim who recently was sent to his parent province. With regard to the non-gazetted posts, the total posts are 235. Of them the Muslims have 18.2 per cent.

Let me come to what arc called the attached offices and I can only give the figures in a collective form—not item by item, which would take me very long. Here again the position in 1939 was this. There were altogether 64 posts. The Muslims had only 1.5 per cent. In 1946 the total posts were 155 and the Muslim percentage has risen from 1.5 per cent to 11.5 per cent. Let me take the non-gazetted posts in the attached offices. In 1936 the total number of posts were 2,238. The Muslims had 34 per cent. In 1946 the total number of non-gazetted posts had risen to 3,929 and the Muslim quota is 30 per cent.

Now, Sir, I will take the geological Survey. As everybody in the House knows, the Geological Survey so far has been only a skeleton. It is during the war under the new projects of the Government of India relating to post-war development that we have taken up the work of the expansion of the Geological Survey. We recently made a beginning by the appointment of 13 permanent posts of Assistant Geologists. Now, I would like to tell my Honourable friend the real position so far as these appointments are concerned. We were naturally bound to fill these posts through the Federal Public Service Commission, which recommended altogether 40 names in order of merit. We had only to

select 13. Out of the 13 there was only one Muslim whom we could select.

**Nawabzada Liaquat Ali Khan :** Out of 40 names.

**The Honourable Dr. B.R. Ambedkar :** Yes. The names were given in order of merit and we had only 13 posts. Obviously we had to stop with the 13. If we had stopped with the 13, there was only one Muslim in that list of 13. As I said, these posts are technical posts and therefore we had to be very certain about the qualification. If the Labour Department had stuck to their original proposition that they shall only take men recommended by the Federal Public Service Commission on a purely meritorious basis, they would have had only one Muslim Candidate but the Labour Department knowing that tills would not be satisfactory from the point of view of the Muslims went down the list and picked 3 candidates who were far below 13 in order to make up their quota of 4. Another thing we have done and which I know some people might regard as very improper is this. We found that in the office of the Director General of Geological Survey there were no Muslim officers. What did we do. We selected two Muslim students from the University represented by my Honourable friend Sir Zia Uddin Ahmed.....

**Dr. Sir Zia Uddin Ahmad :** The credit does not go to you.

**The Honourable Dr. B.R. Ambedkar :** They were not geologists by their training. They had qualified themselves only in geography but notwithstanding this we selected two. We trained them so that they may be subsequently, recruited to the office of the Geological Survey.

Now, Sir, I come to the School of Mines. There were some questions in the last Assembly on that.

May I know, Sir, how much more time I have.

**Mr. President :** The Honourable Member can have 20 minutes. I am prepared to give him more time if necessary. He can go on till 1/15.

**Shri Sri Prakasa** (Benares and Gorakhpur Divisions—Non-Muhammadan Rural): You can take 25 per cent of the time.

**The Honourable Dr. B.R. Ambedkar :** I do not wish to deal with this subject in that half-philanthropic and half-flippant manner that my friend has done.

**Shri Sri Prakasa :** I was not flippant at all.

**The Honourable Dr. B.R. Ambedkar :** Coming to the School of Mines, the position is this. We have from 1937 restricted admissions to the School of Mines to 24, originally, there were about 50. It was discovered that there was not sufficient accommodation for such a large number of students and, therefore, it was restricted to 24. Now, the selection for the admission to the college is primarily provincial and not communal. Sixteen seats are allotted to the provinces and two to the Indian States. I had examined the figures up to 1937 and I did not discover any single year in which there were not at least 2 Muslim students, who had sought admission to the School of Mines. I, therefore, did not think that any particular reservation was necessary to safeguard the interests of the Muslim students joining the School of Mines. However, when the matter was pressed by some Members of the Muslim League here, Members of the last Legislative Assembly, I did pass orders that two seats at least should be reserved for the Muslims in the Indian School of Mines.

**Sir Mohammad Yamin Khan :** Out of how many ?

**The Honourable Dr. B.R. Ambedkar :** Out of 24. Now, Sir, even here I would like to tell the House what steps the Labour Department have taken in order to see that the Muslims are able to realise the full quota which has been reserved for them, and I shall give the figures for this year. This year we have altogether admitted 48 students on the recommendation of the Governing Body. Out of these 48 students there is only one Muslim who had satisfied the qualifying test.

**Mr. Muhammad Nauman** (Patna and Chota Nagpur-*cum*-Orissa, Muhammadan) : That is what I referred to you.

**The Honourable Dr. B.R. Ambedkar** : But, Sir, in order to make good the reservation that was made, it was ordered that the fifty-ninth student, who was a Muslim, may be taken, over-ridding the claims of practically 11 other boys.

Now, Sir, I will refer briefly to the various training schemes which have been sponsored by the Labour Department—some overseas—and to show that even here the Labour Department has not only been correct but has been very considerate. I will first refer to the training scheme sponsored by the Labour Department for training of Assistant Geologists in the Melbourne University of Australia, as a part of the

re-organisation of the Geological Survey. This took place in 1946. The total number of men that were selected was 9. Out of them, 5 were Hindus, 3 Muslims and 1 of other minorities. It will be seen that in this selection the Muslim proportion has been 33⅓ per cent.

The second scheme sponsored by the Labour Department was to train men in commercial and administrative side of electricity. Electricity is going to play one of the greatest part in the reconstruction of India's economic and social life. Obviously, there must be people in India who are trained in the commercial and administrative side of it and we decided to train some men. Obviously, for a training of this sort, you could not take up raw boys from the university. You ought to have some men who have had some experience in this matter. We, therefore, decided to ask the Provincial Governments whether they would suggest names of some of their employees in their Electricity Department for being sent abroad. The selection, therefore, was not a selection made by the Labour Department or in the Government of India. The selection was entirely within the purview and charge of the Provincial Governments. The total number of men selected was 10. Out of them one was a Muslim. He was selected by the Hyderabad State. The other provinces did not suggest the name of any Muslim. I do not know why. Probably because there were not any Muslims in their Electricity Department.

**Khan Abdul Ghani Khan** (North-West Frontier Province-General) : In the Frontier Province there are about 90 per cent, Muslims in the Electricity Department.

**The Honourable Dr. B.R. Ambedkar :** I am sorry, but your Province did not recommend any Muslim name. You had better address a question in the Assembly of the Frontier province.

I am coming now to three other schemes which were sponsored by the Labour Department for training abroad. One was the Bevin training scheme. The total number of boys who were sent was 787. Out of them, Muslims were 154, or 19 per cent. Then, we have in the Government of India a scheme for training Labour Officers for welfare purposes. These officers are not selected by the Labour Department, they are selected by the different Departments concerned. And here the position is this. Altogether 23 have, so far, been sent. Out of these 23, 18 are Muslims, which is a proportion of 79 per cent. Then. Sir, we have

another scheme which is a scheme for giving higher technical training to the employees of private employers. The Government of India circularised private employers that in view of the necessity of improving technical efficiency of Indians if they desire to send any of their employees for training abroad, the Government of India in the Labour Department would do their best to secure opportunities for training in foreign countries. In this connection, so far, 6 men have been sent. Unfortunately, there was no Muslim amongst them, but that certainly is not the fault of the Labour Department, because they were not responsible for the training.

Now, Sir, another point which I would refer to is the recruitment of what are called project Officers and Utilisation Officers and 8 of what are called Project Officers. These appointments, again, had to be filled through the Federal Public Service Commission. Unfortunately, there was no Muslim among the 9 posts that were filled. In this connection, I would like to draw the attention of the Mover of the cut motion to the correspondence which the Labour Department had with the Federal Public Services Commission. We queried when we got the selection and found that there was not a single Muslim. I asked my Department to address a query to the Federal Public Service Commission as to why there was no Muslim in the names that they had suggested. The reply of the Fedral Public Service Commission was this. It is interesting, I think, because it throws a different light on the subject. The Federal Public Service Commission said that, in response to their advertisement, altogether 240 applications were received. Out of that number, only 8 were Muslims, and out of these 8 Muslims, they invited 3 for interview. Out of three, they found not one suitable for the post. Well, Sir, this is in brief a record of the Labour Department in the matter of communal representation. I claim, Sir, that during the period that I have occupied this post, it can be fairly said that the position of Muslims far from having deteriorated has considerably advanced. Sir, I do not claim anything more for the Department in which I hold charge. I should like to conclude just by making two observations. I have no idea how many Honourable Members of the Muslim League Party know what I played in the issue of this communal Ratio Resolution. I think if any Member of the Muslim League Party was present when the Round Table Conference was held in London,

he would very well realise that among those who fought for securing these privileges to the minority communities, I claim that I have played a considerable part. It cannot therefore be said that I am out of sympathy with the demand of the Muslims or the demand of any other minority community. It is for this that I have fought, it is for this I have been fighting, and it is for this that I will fight.

The second proposition that I should like to make, if my Honourable Colleague, the Home Member would permit me to say so, is that the action which he promised the House that he will take in order to see that the Government of India will not be merely content with rearguard action on the various Departments making default in this matter but that he will take some substantial steps so that as and when appointments are made, proper check is applied at the time, the credit must go to me because it is I who wrote to him a letter that this state of affairs ought to be rectified. I do not want to say anything more.

**Mr. Ahmed E.H. Jaffer :** On a point of information, Sir, I want to know whether in the figures which he just now quoted, are the appointments in the resettlement also included ?

**The Honourable Dr. B.R. Ambedkar :** Yes, it is a consolidated section of the Labour Secretariat.

**Mr. Ahmed E.H. Jaffer :** Including resettlement.

**The Honourable Dr. B.R. Ambedkar :** I have so many figures. I must say they are so interesting that if my Honourable friend wants, I am quite prepared to pass it on to him for his further study.

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## * The Indian Finance Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : Mr. President, I must at the outset thank you for the opportunity that you have given me to intervene in the discussion on the Finance Bill. Sir, I say so because the points on which I propose to dwell are not points which refer to the Labour Department of which I am in charge. In fact, so far as the discussions on the Finance Bill have gone, I am glad to say that no serious comment has been made against that Department. But I rise because I feel that my Honourable friend, Pandit Govind Malaviya, yesterday in speaking on the Finance Bill made certain observations with regard to the project of a college for the scheduled castes. Sir, ordinarily that matter I should have left in the hands of the representative of the Education Department to deal with because that project was examined by them and the Finance Department sanctioned it. All the part that I have played was to initiate the measure. But, Sir, the reason why I have thought it necessary not to leave the defence of that project in the hands of the representative of the Education Department is because I find that in presenting the case against that project I think my Honourable friend sought to give it a political colour. It is because of that I have risen today to reply to the comments that he made.

My Honourable friend started by saying that he was amazed at the project, and when I read his speech I found that the amazement which he felt was based upon his understanding that this was nothing but the introduction of a sectarian spirit in the educational field. Sir, there is a proverb, and a very well known proverb, that a man who lives in glass houses should not throw stones. I wonder whether my Honourable friend, Pandit Malaviya, recognizes this fact. I am far more than

*Legislative Assembly Debates (Central), Vol., IV-No. 7, 26th March 1946, pp. 2926-31.

amazed—I am astonished—that Mr. Malaviya should have risen up in his seat to preach nationalising to me or to any Member of this House. It is not a new thing to anybody that, so far as his personal habits are concerned. I think it is true to say that he will not even take water not only from an ordinary Hindu but I know he will not take water even from a Brahmin of another caste.

**Sri M. Ananthasayanam Ayyangar** (Madras Ceded Districts and Chittoor : Non-Muhammadan Rural) : He does equal justice !

**Shri Sri Prakasa :** Even Brahmins can be stupid !

**The Honourable Dr. B.R. Ambedkar :** His ideals, if I may say so, are the ideals of rat who believes that in order to keep his personal purity he must live in a hole by himself without any contract with any human being. And I should have thought that a man who believes in that kind of a thing should certainly think twice before talking against sectarianism or preaching nationhood to the people of this country. I should have thought that he ought to have known that he was or he is a great deal concerned with an institution which we all know as the Benares Hindu University. If it is not a sectarian institution, I would like to know what is a sectarian institution. Sir, I know and I can say that this University is not even a Hindu university ; it is a University which is managed in the interest of that particular community. I would like to ask my Honourable friend whether it is not a fact that on the staff of the Benares Hindu University there are hardly any non-Brahmins.

**An Honourable Member :** There are.

**The Honourable Dr. B.R. Ambedkar :** I would like to ask him whether there is not a standing resolution of the Benares Hindu University Court passed in 1916 whereby a non-Brahmin, no matter how well he is educated in Hindu Dharma (in Hindu Law) is not entitled to function as a Professor of Hindu Religion. I would like to ask him whether he has forgotten that only a few months ago a Kayashtha girl had to go on fast because she was refused admission in the Benares Hindu University in the Faculty of Theology. If that is not sectarianism, I would like to ask what it is.

As I was reading the proceedings of the debate yesterday, I found my Honourable friend, Mr. Ayyangar, uttering an exclamation, which is recorded by the Official Reporter, on a separate college for the

Scheduled Castes. I wonder whether he is aware of what has recently happened in that town of Salem. He probably is forgetful of it.

**Sri M. Ananthasayanam Ayyangar :** I do not know.

**The Honourable Dr. B.R. Ambedkar :** Or he is so much preoccupied with politics that he did not know what his own community members are doing. I like him to peruse the papers of the 'Hindu' of Madras, not of some past year but of the 12th of this month. He will find that Salem Brahmans met in a solemn conclave for the purpose of establishing a Brahman Sangh, for the purpose of protecting the interests of Brahmans, for the purpose of starting a college for Brahmans, for the purpose of starting industries for Brahmans. And who was the President of that Conference ? The great man Sachivotama Sir C.P. Ramaswami Ayer.

**Sri M. Ananthasayanam Ayyangar :** Your erstwhile colleague.

**The Honourable Dr. B.R. Ambedkar :** I do not know. When everybody in this country while talking of nationalism is practising sectarianism.....

**Sri M. Ananthasayanam Ayyangar :** I am sorry for both.

**The Honourable Dr. B.R. Ambedkar :** ..... for Members to come here and to tell a struggling community like that of the Scheduled Castes, who for the first time in their life have become conscious of their disabilities and are trying to found educational institutions in which they will be able to get higher education that they are acting in a sectarian spirit to my judgment is nothing short of imprudence. I would like to tell this House that it is complete misnomer to say that this is a Scheduled Caste college. It is a college which like any other college is open to every community. There is no bar to any body.

**Pandit Govind Malaviya** (Allahabad and Jhansi Divisions : Non-Muhammadan Rural): What is stated in the Budget ?

**The Honourable Dr. B.R. Ambedkar :** The Budget was before you for full one month, and you ought to have put a short notice question to ask for full details before you got up to oppose it. Now, as I said this is an institution which is open to every community. The college is not only open to all but the staff selected is also cosmopolitan. There are Hindus, there are Brahmins, there are non-Brahmins, there are Parsis, there are Christians, there are Muslims on the staff. And I like to tell the House that when the affiliation application came before

the University of Bombay they had not the slightest hesitation to granting affiliation. In fact it was admitted that there was never such a project placed before the University of Bombay during all these years so sell thought out. And if I may say so, this is the first instance in the whole history of the Bombay University where permission has been given to start a full-fledged college at the start. This is because, the organisation, the staff and the arrangements have been so good. The College therefore is in no sense a Scheduled Caste College. The only thing which the College will do so far as the Scheduled Castes are concerned is to give them preferential treatment in the matter of admissions and freeships and reservation in the hostel. I like to tell the House why the establishment of this college became necessary. Honourable Members are probably not aware that the Bombay Province at present is suffering from a terrible congestion of the student population. My Honourable friend, sitting opposite, Mr. Gadgil, will know that during last year nineteen new colleges were allowed to be opened by the Bombay University, That shows how difficult it is for boys to get admission. The Scheduled Caste boys suffered the most from this congestion because the Scheduled Caste boys after passing their matriculation were not able to get their admission in the different colleges. I therefore represented the matter to the Government of India that there should be an institution whose primary function should be to give preferential treatment to these boys. There is nothing else in this project which may be called sectarian or which may be called communal.

Now, Sir, there was another matter which my Honourable, friend introduced, and I am at a loss to understand why he introduced it. He introducted politics and he said that so far as the elections were concerned, I was a wash out. I do not know what he wanted to convey. But I believe what he wanted to do was to give a hint that I should not have been listed to by the Government of India, or some such thing, which I do not know.

**Pandit Govind Malaviya :** Don't you ?

**The Honourable Dr. B.R. Ambedkar :** Well, Sir, from what has happened in the elections it may be said that I am now a withered plant. But I like to tell my Honourable friends opposite that I am not dead at the roots. Not at all. My Honourable friend talked about the results

of the election. He said that the Scheduled Caste seats were won by the Congress. Yes, they were. But what I like to ask my Honourable friend is, does he care to examine the ways and means by which this victory was obtained by the Congress ?

**Prof. N.G. Ranga :** We are ready !

**The Honourable Dr. B.R. Ambedkar:** I would like to tell my friend of the ways and means that were adopted.

**Sri M. Ananthasayanam Ayyangar :** The usual accusation!

**The Honourable Dr. B. R. Ambedkar :** It is not the usual accusation. It is a matter of proof which can be put to the test.

**Prof. N.G. Ranga :** Do not tread on doubtful ground !

**The Honourable Dr. B.R. Ambedkar :** My Honourable friend ought to know that in many places the Untouchable voters have not been allowed to go even to the polls. I am referring to a case in the Satara District, which ought to be familiar to many Members of this House because in that district there was in existence what is called a parallel government. The Scheduled Caste voters from 361 villages were taken to the village Katcheri by the Hindu villagers. They were asked whether they were prepared to vote for the Congress candidate. When they refused, they were asked to sit in the Katcheri and a watch and ward was kept around them. They were not allowed to move. I can give many cases.

**Pandit Govind Malaviya :** Yes ? please do !

**The Honourable Dr. B.R. Ambedkar :** Even the candidates of the Scheduled Caste opposed to the Congress were assaulted. Take a nearer case like that of Agra which has happened only recently. Fifty houses of the Untouchables were burnt on the day of election. Some twenty houses were looted in the absence of the voters who had been to the polls. In Cawnpore seven persons were murdered.

**Diwan Chaman Lall** (West Punjab : Non-Muhammadan): Who looted ?

**The Honourable Dr. B.R. Ambedkar :** Hindus. Those are the ways and means by which these elections have been won. (Interruptions). I would like to tell my Honourable friend that the test whether the Congress has won these seats, or whether the Scheduled Castes Federation, which I represent, has won these seats, is to be decided not by the final elections. It would be stupid to do so. In a final election

where the Untouchables sometimes form a microscopic minority of 5 per cent as against a majority of 95 per cent. Hindus, it would be idiotic for any man to think that the final election was any test as to who represented whom. The real test is the test of the primary election. For the primary election is an election through a separate electorate of the Scheduled Castes. What has happened in the primary elections. Let me give my friends opposite some idea of the results of the primary elections. In the Punjab there were three constituencies in which a primary election took place. In Bombay there were also three constituencies in which primary elections were held.

**Shri Mohan Lal Saksena :** Out of how many ?

**The Honourable Dr. B.R. Ambedkar :** Let me finish.

**Mr. President :** Let him proceed.

**The Honourable Dr. B.R. Ambedkar :** In the Central Provinces there were four. In the Madras Presidency ten, in the United Provinces two. (Interruption). If my Honourable friend wants to know the fact, he ought to know that a primary election is not compulsory. Unless five people stand there cannot be a primary election and no Scheduled Caste wants a primary election because it involves a lot of expense and we have no black market money to finance it (Interruptions). In all there have been 22 primary elections. They were all contested by the Congress. I want to tell the House that out of the 22 primary elections, 19 have been won by the Scheduled Castes Federation.

**Diwan Chaman Lall :** How many in the Punjab ?

**The Honourable Dr. B.R. Ambedkar :** Wait a minute. In the Bombay Presidency—I cannot give the whole lot of figures because my time is short.....

**Pandit Govind Malaviya :** It may go against you !

**The Honourable Dr. B.R. Ambedkar :** In the Bombay City there were two Constituencies in which the primary election was fought. One was the Byculla constituency. The Scheduled Castes Federation candidate got 11,334 votes and the Congress candidate got 2,096 votes. In the Suburban Constituency of Bombay City the Scheduled Castes Federation candidate got 12,899 votes and the Congress candidates got only 2,088. In the Central Provinces—I again take two constituencies for illustration.....

**Sri M. Ananthasayanam Ayyangar :** The black market did not prevail.

**The Honourable Dr. B.R. Ambedkar :** In the Nagpur constituency the Scheduled Castes Federation got 1,933 votes and the Congress candidate got 270. In Bhandara District the Federation candidate got 3,187 and the Congress candidate, including others who were independent, got altogether 976. In the Agra constituency in the United Provinces the Scheduled Castes Federation candidate got 2,248 while the Congress and others put together got only 840. In the Punjab, Ludhiana—Ferozepur Constituency, I am taking one as an illustration—the Scheduled Castes Federation got 1,900 votes and the Congress got only 500.

**Diwan Chaman Lall :** There was no Scheduled Caste candidate in the Punjab.

**The Honourable Dr. B.R. Ambedkar :** Will my friend let me go on. I know more about these matters than I think he does.

**Diwan Chaman Lall :** My Honourable friend knows there was not one single candidate.

**The Honourable Dr. B.R. Ambedkar :** The Scheduled Castes Federation who.....

**Diwan Chaman Lall :** It is a tissue of lies.

**The Honourable Dr. B.R. Ambedkar :** My Honourable friend will withdraw it. Sir, I seek the protection of the Chair.

**Diwan Chaman Lall :** I challenge my friend to deny the fact that there was not a single candidate of his Federation put up in the Punjab.

**Mr. President :** Order, order. It is no use introducing heat in the debate when the Honourable Member is giving the facts. The point was raised and the reply was invited and whatever he has to say must be heard patiently. I am not concerned with the question as to whether what he said is a fact or not but no Honourable Member of the House is entitled to or can say that what the other Honourable Member was saying was "a tissue of lies."

**Diwan Chaman Lall :** I withdraw it, Sir, and substitute for it "a tissue of terminological inexactitudes."

**The Honourable Dr. B.R. Ambedkar :** I will give one constituency from Madras, viz. Amalapuram. The Federation candidate got 10,540 votes and the Congress candidate 2,683. That is the result of the primary election and I say that if anybody wants to apply an honest test, that test ought to be the test of the primary election. I want to tell my

Honourable friends opposite that if what they have done in this election is of any value, it has to my mind substantiated and proved the case which I have been fighting for that the electoral system is a humbug and that the Scheduled Castes must have separate electorates.

My Honourable friend, Pandit Malaviya, tried to make out another point. He said that the Hindu community has been taking interest in the Scheduled Castes and that they could subscribe a great deal of money for the moral and material advancement of the Scheduled Castes. Sir, I do not know.....

**Pandit Govind Malaviya :** On a point of order, Sir: May I know from you that if an Honourable Member of this House goes on misrepresenting and misquoting and stating utterly wrong facts about any other Member, who has already spoken and who is not likely to get a chance to reply to or expose those misstatements and terminological inexactitudes, may I know from you what is the way open to the other member to meet that situation ?

**Mr. President :** The question is hypothetical and I do not think I need take the trouble of replying to it But statement of facts is one thing and version is another and the Honourable Member need not confound versions with facts.

**The Honourable Dr. B.R. Ambedkar :** Sir, I was dealing with the point which my Honourable friend made in the course of his speech that the Hindu community was taking a great deal of interest in the welfare and the material and moral advancement of the Scheduled Castes. All that I would like to say is that if one were to judge by what happens within the four corners of this House, I think it would be very difficult for any honest man to subscribe to the statement that my Honourable friend has made.

I have been, it is true, a member of this House for a very short time but I have been a very regular reader of the proceedings of this House and there is nothing about this House which I have not read, which is worth reading. And, Sir, having regard to the past, I think it is correct to say that it is very seldom that any member of the Opposition has ever asked any question of any member of the Government sitting here with regard to the many atrocities, tyrranies and oppression that have been practised upon the Scheduled Castes in every village from day

to day. I have not seen it in the proceedings. I have never seen any Honourable Member moving a resolution.....

**Sri M. Ananthasayanam Ayyangar :** You would say that it is a Provincial subject.

**The Honourable Dr. B.R. Ambedkar :** ..... that certain things might be done for the uplift of the community. There was one occasion which I remember, in which Honourable Members opposite made a bold bid in order to abolish untouchability. I believe, it was in the year 1932 or 1934, I forget exactly which.....

**An Honourable Member :** 1933.

**The Honourable Dr. B.R. Ambedkar :** ..... when a Bill was brought in for temple entry. And what a hullabaloo was made when the Viceroy refused to give his sanction. Men went on fasts and threatened to commit suicide if permision was not given to introduce the Bill. And when permission was given what happened ? What happened was that these gentlemen threw away the Bill. They disowned it. They left Mr. Ranga Iyer with the baby in his hand. He abused them roundly for having betrayed him. There were only two occasions I remember when the question.....

**An Honourable Member :** You have not read the debates.

**The Honourable Dr. B.R. Ambedkar :** I have read every thing about what happened in this House. I find only two occasions when this House discussed the question of the Scheduled Castes. One was in the year 1916 when Mr. Maneckji Dadabhoy, now the President of the other House, moved a resolution asking the Government to appoint a committee to investigate into the grievances of the Scheduled Castes and if my Honourable friend opposite who started this debate were to brouse into the proceedings of that debate, he will find that it was his father who turned out to be the most vehement opponent of that resolution. The other occasion was in 1927, that was when the late Lord Birkenhead happened to refer to the Scheduled Castes as a minority to be protected under the Constitution. My friends opposite are very fond of me only when I try to make a political issue of my existence. If I ask for separate electorates, if I ask for reservation in the services, if I ask for an educational grant, then they know that I exist. Otherwise, I am dead to them.....

**An Honourable Member :** Nothing.

**The Honourable Dr. B.R. Ambedkar :** ..... and all social and political rights are denied to me because they say that I am a Hindu. If fraternity is to involve this cost, then I say that I am their cousin and not their brother.

The other thing that I would like to say, is this and I would like to say it very positively. I want to tell my Hindu friends that I shall not live on their charity. I do not want their charity. I am a citizen of this country. I am entitled to claim from the Government Treasury whatever rights and benefit every other community is claiming for itself. I do not want charity; charity, the object of which is to enslave and demoralise me and my community. The Scheduled Castes want to stand on their rights and I take this opportunity to tell the House that if their claims are met with opposition, they will not hesitate to shed their blood in order to get their rights.

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# 63

## * Strike by the Workers of the Government of India Press, Calcutta

**Mr. President:** I have received a notice from Sree Satyapriya banerjee of his intention to move for the adjournment of the business of the Legislative Assembly for the purpose of discussing a definite matter of urgent public importance, namely:

> "Strike by the workers of the Government of India Press, Calcutta, on account of the failure of the Government to redress their grievances."

I find that the Honourable Member had put in a question on the subject some two or three days back and wanted to have it answered as a short notice question, but the honourable Member for Labour did not accept the short notice question. At that time there was no strike actually going on. The present notice alleges a strike. There, it was a question of impending strike. Is there any strike at all ?

**The Honourable Dr. B.R. Ambedkar** (Labour Member): I have no information with regard to this matter.

**Sree Satyapriya Banerjee** (Chittagoing and Rajshahi Divisions : Non-Muhammadan Rural) : I have definite information that there is a strike going on and yesterday's Free Press Journal also contained that news.

**Mr. President :** The source of the information is the Free Press Journal ?

**Sree Satyapriya Banerjee :** The Leader of the Opposition has also got a telegram.

**Mr. President:** Is the Honourable Member in a position to state the nature of the strike ? Is the whole Press on strike ?

*Legislative Assembly Debates (Central), Vol. V-No. 4, 4th April 1946, pp. 3522-24.

**Sree Satyapriya Banerjee :** Yes, Sir, about 1200 workers are involved.

**The Honourable Dr. B.R. Ambedkar :** The position is this. A notice of strike was given on the 13th of March by the press workers of the Calcutta Press. Similar notices of strike were given by presses belonging to the Government of India located at various other places. The Calcutta Press workers gave a list of 13 demands and the Government has taken into consideration all of them and has made the following concessions to the press workers—compensation leave granted for attendance on gazetted holidays on which the press is closed, promotion of piece workers to classes above efficiency bar accelerated, increased rates of dearness allowance to have retrospective effect from 1st July 1944 instead of from 1st January 1945 ; half the dearness allowance to count as pay for calculation of pension; inferior servants to draw pension up to a limit of half average pay ; the full period of strike will be treated as leave on average pay and debited against leave account due to uncertain conditions ; an officer on special duty appointed to report on anomalies existing in the pay and conditions of service of the Press workers ; hours of work have been reduced from 48 to 44 for day shifts and from 44 to 38 for night shifts ; piece-workers have been granted 23 days holiday with pay, same as salaried workers.

With regard to other demands which relate, for instance:, to revision of scales of pay and increase in subsidy rates, Government has informed all workers in all the presses belonging to Government that this matter must remain pending until the report made by the Salaries Commission, and Government therefore is not in a position at present to make any announcement with regard to these demands.

I may tell the House that so far as the strike in the Delhi Press is concerned, these concessions have been accepted by the workers and they have gone back to work. I do not see any reason why the same attitude should not be taken by the press workers in the Calcutta Press. I understood just now from office that one of the demands which they are pressing immediately is that further reduction should be made from 44 hours to 40 hours. I am unable to say anything definitely immediately, but that is a matter which I am prepared to consider. I do not think that any useful purpose will be served by discussing this matter on an adjournment motion.

**Sree Satyapriya Banerjee :** Sir, it may be within the knowledge of the Honourable Member that the Regional Commissioner of his Department recommended 42 hours and he turned down that proposal and insisted on 44 hours. Moreover, Sir, the workers of the Bengal Government Press work only 40 hours a week.

**Mr. President :** That is cross-examination on the merits. I am at present wanting to know how, in view of what has fallen from the Honourable Labour Member, the matter is of sufficient urgent and public importance.

**Sree Satyapriya Banerjee :** Sir, so many workers are involved and the lives of such a large number of workers and their dependents are at stake, being faced with starvation; Sir and if that is not a matter of sufficient urgent and public importance, I do not know what else can be.

**Prof. N.G. Ranga** (Guntur cum Nellore : Non-Muhammadan Rural)**:** Sir, may I also make one submission. If it is possible for the Department to send any special officer to go and explain their own concessions to these workers and reason with them, it may be possible for them to prevent the continuance of this strike. After all, 1300 workers going on strike is a very serious matter even from the point of view of Government getting all their work stopped there.

**The Honourable Dr. B.R. Ambedkar** : I understand there is a Regional Labour Commissioner stationed in Calcutta who has been instructed by the Labour Department to get into touch with the workers and see what can be done.

**Seth Govind Das** (Central Provinces Hindi Divisions : Non-Muhammadan) **:** The Honourable Member said that notices have been received about strikes in various presses. Is there any strike or danger of a strike anywhere else besides Calcutta ?

**Mr. President :** I do not think that is relevant to the present issue. In view of what the Labour Member said, I do not think the matter is of such a type that I should give my consent to the adjournment motion being moved.

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# 64

## * Factories (Amendment) Bill

**Mr. President :** The House will now proceed to the consideration of the Factories Bill.

**The Honourable Dr. B.R. Ambedkar :** I propose to deal with that point. I have been asked by my Honourable colleague to speak on that point and I am quite competent to speak because every Member of this Government can speak on behalf of the Government as a whole.

**Diwan Chaman Lall** (West Punjab: Non-Muhammadan): Sir, I have to say something on this question unless the Honourable Member is agreeable to my speaking afterwards.

**Mr. President :** Even if he is agreeable I do not think I can permit it under the Rules after the Honourable Member has replied to the debate.

**The Honourable Dr. B.R. Ambedkar** (Labour Member) : So much has been said already that it is not necessary to say more.

Mr. President, Sir. The debate that has proceeded so far has really left very little for me to say because what has been said by the one side against the Bill has, if I may say so, been effectively replied by the other side, and, therefore, certainly at this stage there is no great necessity for me to repeat what has been said already. If I rise at all it is to deal with the criticism that has been made by my Honourable friend, Mr. Vadilal Lallubhai. I have listened to his speech and I must say tha I have been quite unable to understand what complaint he has to make with regard to this Bill. I am quite aware and everybody else is that today there is a threat of cloth famine and that whatever we do with regard to the amendment of the Factories Act affecting the provisions relating to hours of work, we should be cautious to see that the situation with regard to cloth is not aggravated. My reply to the criticism of my friend is this that we have not only taken into

*Legislative Assembly Debates (Central), Vol. V-No. 4, 4th April 1946, pp. 3526-27.

consideration the situation regarding cloth famine, but we have taken into consideration the situation that might arise with regard to the shortage of other articles of consumption, and the Government of India has not only introduced an amendment which would give relief to the cotton industry but is so widely worded that it would also give relief to many other industries which are engaged in producing consumers goods. I do not quite understand why he is not satisfied with so general a provision which not only gives him relief but also gives relief to many other industries. I am still unable to understand the significance of his comment.

He made two other points to which I think he is entitled to a reply from me. The one comment that he made was—I have got the text of his speech before me—that this exemption ought to be given by the Government of India itself in this very Act and not to be left to the discretionary authority of the Provincial Government. My answer to this criticism is twofold : In the first place, as my Honourable friend knows, granting exemption is what in law is regarded as an exercise of executive authority under the constitution which is now in operation ; although labour is placed in concurrent list, that fact merely gives the Government of India the authority to make the law. It does not give the Government of India authority to put that law into execution. All execution must remain in the hands of the Provincial Government and if, therefore, we have not granted exemption straight-away in this Act it is because it is beyond the powers of the Central Legislature to do so. The second difficulty which I find in meeting the demand that he has made is this : It is impossible for the Government of India to single out any particular industry such as the cotton textile industry to be mentioned in the Act itself for exemption without at the same time giving a list of other industries which might require similar exemption. It is impossible for anybody in the Labour Department to anticipate the needs of other industries and to make specific provisions in that behalf. He expressed the fear that Provincial Governments will not grant the exemption for which they have been empowered very readily, and if I understood him correctly he said that labour in Provinces will create difficulties in the matter of Provincial Governments granting such exemptions. I do not share the fear because I believe that the Provincial Governments while they would undoubtedly listen to such

reasons as labour may have to put forward against granting exemptions will no doubt bear in mind the exigencies of public needs and public interests and do what may be needful in the circumstances. Therefore so far as his first point is concerned. I do not think that I can meet it because the law will not permit me to do so, and, secondly, I do not see why the Provincial Governments should not be trusted to do what is needful in the interest of the public in general.

The other question which he raised was whether the Industries and Civil Supplies Department was prepared to take responsibility for this measure. I do not think he should have raised this question because if he had only taken into consideration the way in which the Government of India operates, he would have known that no measure can go before this House unless it has had previously the consent of the Executive Council in which the Member in charge of Industries and Civil Supplies has every right to make his say, but I can say positively that the labour Department had paid the greatest considertion to what was urged by the Department of Industries and Civil Supplies in this matter and it is at their instance mat clause 5 was introduced in this Bill. They were apprehensive that while the general provisions regarding the restriction of hours of labour were essential and necessary and could not be postponed, yet the circumstances in which this country was placed with regard to certain articles should also be borne in mind, and it was at their express instance that this clause was introduced. I hope my Honourable friend will be satisfied that the Industries and Civil Supplies Department has in no way been rushed by this Bill and that this measure has their fullest support. Sir, I move.

**Mr. President :** The question is :

> "That the Bill further to amend the Factories Act, 1934, as reported by the Select Committee, be taken into consideration."
> The motion was adopted.

**Mr. President** : I shall take clause 2 first and clause 1 at the end. There is an amendment to clause 2 by Messrs. Vadilal Lallubhai and Ramalingam Chettiar.

**Mr. Vadilal Lallubhai** : I have got to make some observation. Dr. Ambedkar says that the law does not provide for exemptions but as the amendment has been drafted it is possible that it will come under

the law. I would like to know whether the amendment of clause 2 as drafted by me docs come under the Law.

**Mr. President :** I am not clear as to what the Honourable Member is driving at.

**Mr. Vadilal Lallubhai :** The Honourable Member said that the law did not provide for exemption. If he reads my amendment to clause 2 he will see that there is no legal bar. I would like to know whether it is because that there is a legal bar that he wants to oppose my amendment or there are other reasons.

**Mr. President** : I believe the Honourable Member has clarified the position sufficiently in his speech. I do not think there can be any doubt on the question. He said that the legal bar was one argument. There was a further argument also that, in his opinion, whatever is necessary will be done by the Government. Am I right ?

**The Honourable Dr. B.R. Ambedkar :** Yes, Sir.

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***Mr. President :** Amendment moved :

"That in Clause 4 of the Bill, for the words 'ten and a half hours or where the factory is seasonal one, eleven and a half', the word 'twelve' be substituted".

**The Honourable Dr. B.R. Ambedkar** : Sir, I am afraid I am opposed to this amendment. There are two objections which I see. One objection is a general one. The Honourable Mover of this amendment seems to hold the opinion that if employers in any particular industry have devised a particular plan of employing their labour in their factories, then the law ought to be so framed that it would suit the practice that is prevalent. That is a position which I am not prepared to accept. Many employers may devise many means that may be primarily in the interests of the employers and I think it would be wrong on the part of the State to accept the obligation that in whatever legislation they may propose, the legislation should be made to suit the practice, and that the law should not alter the practice if it is found that the practice is bad. That is my first argument why I am unable to accept this amendment.

*Legislative Assembly Debates (Central), 4th April 1946, p. 3532.

The second argument which I have against this amendment arises from a direct consideration of the matter. If I have understood my Honourable friend correctly, the sort of way in which he employs his labour could, I think, be described in a simple manner in some such fashion : he has as a matter of fact two corps of labour under him, which for purposes of explanation may be called 'A' corps and 'B' corps358 ! and the way he would like to employ them would be somewhat in this fashion : 'A' corps would start work at 8 a.m. and work till 4 O' clock in the afternoon. At 4 p.m. 'B' corps would be discharged and 'A' corps would again come in and work till 8 p.m. At 8 p.m. 'A' corps will be discharged and 'B' corps will be brought in for work and would work till 12 midnight. That, if I understood him correctly, would be the method by which he would work his labour.....

**Sri T.A. Ramalingam Chettiar :** Quite right.

**The Honourable Dr. B.R. Ambedkar :** Now, it seems to me that this arrangement is fundamentally opposed to the principle of spreadover. What is the principle of spreadover ? It is this, that as far as possible no worker should be required to stay on the factory premises for any period longer than is necessary for the full employment of the maximum hours prescribed by law. In this Bill we arc providing that the maximum hours per day should be 9. If the amendment was accepted, the worker would have to be kept on the premises, for three hours more, which I submit is not in consonance with the general principle of spreadover. A factory, if I may say so, is not a garden and certainly today has not got all the amenities which a factory ought to have ; and it is very desirable that an employee should be allowed to quit the factory as soon as he possibly can get back to his home, breathe free air, and enjoy such amenities as he can and make the best use of the leisure that the law gives him. For these reasons, I think this amendment is not a good amendment and I am therefore not prepared to accept it..

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***The Honourable Dr. B.R. Ambedkar :** I do not think I need say anything at this stage except to express my gratitude to the House and to the Members of the Select Committee who have so greatly

*Legislative Assembly Debates (Central), Vol. V. No. 4, 4th April 1946, p. 3540.

co-operated with me in carrying this measure through. With regard to the many suggestions which have been made by many speakers who have spoken on this motion, all that I need say is that whichever Government comes into operation, it will undoubtedly have to bear those suggestions in mind. As my Honourable friend, Diwan Chaman Lall said, we are not living in the same time when the Factory Commission reported. Time has advanced. The world has advanced and we have to show that we too, like other modern countries have a regard for the moral standards on which our industrial relations are to be based, and I have no doubt about it that what they have said will be borne in mind and that their suggestions will be given effect to.

Sir, I thank the House for the courtesy they have shown me.

Mr. President **:** The question is :

> "That the Bill as amended be passed."

The motion was adopted.

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# 65

## * Mica Mines Labour Welfare Fund Bill

**The Honourable Dr. B.R. Ambedkar** (Labour Member) : Sir, I move :

> "That the Bill to constitute a fund for the financing of activities to promote the welfare of labour employed in the mica mining industry be taken into consideration."

The important provision of the Bill is contained in clause 3, where it is proposed that a levy should be made upon the export of mica in order to constitute a fund for providing for the welfare of the labour employed in the mica mining industry. The nature of the welfare activities which this fund will undertake are detailed in clause 2 of the Bill. It is not necessary for me to go over these clauses and read them to the House. Before I go further I would like to explain to the House why the Government of India have thought it necessary to institute a fund of the sort mentioned in clause 3 of the Bill and I do not think I could do better than read a few extracts from the report of a Committee on labour conditions in mica mining and mica manufacturing industry. The report is made by Prof. Adarkar who was a member of the Fact Finding Committee appointed by the Tripartite Labour Conference. With your permission, Sir, I propose to read a few extracts from this report.

On page 27 of this report Prof. Adarkar says :

> "We did not see urinal or latrine accommodation provided in any mine. Reference to this breach of the Mines Act, has already been made above. One just wonders what the workers do while working 500 feet below they arc called upon to answer calls of nature. Lack of arrangements for good drinking water is a crying evil of the mica mining industry. The doctors told us that diseases like dyspepsia, intestinal trouble, etc., were caused by the presence of harmful

*Legislative Assembly Debates (Central), Vol. V-No. 7, 9th April 1946, p. 3745-47.

minerals in the water supplied to the workers. As I said earlier, some of the bigger firms carry water in lorries to mines but generally women are employed to fetch water from dirty pools five to six miles away. This water is carried and stored in filthy earthen pitchers or drums. The supply of even such water is inadequate. No water is usually made available for washing purposes. The problem is a very serious one and deserves immediate attention."

Speaking of housing the report says :

"No adjectives can properly describe the 'houses' in which workers are housed. The more temporary amongst them look like tents of leaves held in position by a strong bamboo or wooden pillar. Houses proper are of two types ; we may describe them separately :—

(i) Built entriely of bamboo and grass.—We saw a house built by mine owner for workers which was typical and the roofing was of green leaves. The general appearance was that of a cattle shed. There was hardly any necessity for doors and windows as it was airy from every side. This shed housed one family worker with his wife and two children along with 10 other workers. There was no privacy for the family. The choolhas were separate. Grass had been spread on the floor and workers slept upon that at night. No rent was however charged for the accommodation provided. It may be noted here that the other 8 or 10 occupants had been put into the cottage by the employer after the family worker had occupied. As the worker was not paying any rents, he could not possibly grumble.

(ii) Better type of houses.—Their number is very small and generally they are meant for durbans, Khalasis or carpenters. There are single-room tenements built in lines and are rent free. Their walls are built either of brushwood or of kuchcha bricks and roofs are built of wooden beams. They are closed rooms with doors but ventilation is very poor. It must be emphasised again that these quarters are not meant for ordinary workers but are reserved for the superior skilled staff. It is important to note here that no latrines or urinal accommodation is provided even for those who live in these quarters with the result that they go out into the open to attend to calls of nature. As has been pointed out

earlier, this causes them to develop diseases like ankylostomiasis and anaemia. Workers do not like to stay in these quarters, despite the efforts of the employers to make them do so. Workers like to walk 4 to 6 miles each way and prefer to ignore such exhortations. Moreover, their own huts arc definitely better built than the quarters provided by the employers."

I will read another passage which deals with occupational and other diseases which are prevalent in mica mines. The report says :

"Diseases which mica workers suffer from may be classified as (a) those that are directly attributable to mining operations and working conditions and (b) those that are caused by the configuration and natural vegetation of the mining area. In this connection, we could collect some information in the Bihar area, and the following analysis is based mainly on the information.

(*a*) The following diseases may be considered under the first category:—

(*i*) Silicosis.—This is a disease of the lungs and is attributed to dry machine-drilling of quartz rock. Machine drills have octagonal ends with a regular bore running right through the drill. The drill is rotated by machine and quartz dust produced in the drilling process escapes with great force through the bore and strikes the driller right on his bise. Within a few seconds thick clouds of quartz dust envelope the driller and he inhales that dust continuously. The tiny quartz pieces enter the body and injure the lungs. The first symptom of silicosis is bronchitis and this gradually develops into silicosis proper. The incidence of the disease is fairly high but due to the excessive turnover of labour it is not detected early. What saves most of these workers from early death is their seasonal migration to agriculture. If the driller works continually even for one whole year he cannot escape catching the disease and within five years or so he may die. One employer stated that he had lost 16 of his best drillers within the past live years. It seems that the only possible way of saving the drillers from this disease which proves fatal in nearly all cases is to prohibit dry machine drilling by an order under the Indian Mines Act. Of their own accord so far only the Chrestien Mining company have introduced wet drilling in some of their mines. But

> no other firm is planning even to follow suit at any rate during the course of the present war. It may be noted here, however, that all employers declared themselves in favour of statutory prohibition of dry drilling."

Then a description is given of the prevalence of dyspepsia, rheumatism, bronchitis, malaria. I need not go through the whole list of them. But I would like to draw the attention of the House to the following paragraph in the Report:—

> "Welfare Activities are conspicuous by their total absence. Canteens, creches, entertainments and washing or any other facilities arc things entirely unheard of in the mica mining area. The bigger firms like the Chrestien Mining Company, the Chatturam Horilram Company, and the Indian Mica supply Company, have made arrangements for medical aid".

Then they give details below :—

> "Medical aid, wherever it is provided, is free. No arrangments have been made, however, for child or adult education."

Now, Sir, I can go on for a length of time quoting passages from this Report in order to show that the conditions of work in mica mines have really become intolerable and that the time has arrived for Government to intervenue in this matter and to do something for the workers in the mica mines.

The next question, Sir, is the best method of dealing with this subject. So far as that question is concerned it seems to me that there are really two ways of dealing with the subject. One way is to impose the liability upon the employer and to prescribe certain measures of welfare and to leave it to the employer to carry them into effect and reserve to the Government the power to inspect and to sec that the obligation imposed upon the employer is carried out by him. The second method is for Government to take charge of the welfare measures themselves and to make the employer bear the cost of it. The first method, to my mind, is an imperfect method, and for two reasons. Firstly, different employers have different capacities to bear the cost of welfar measures. That being so, it is not possible for small employers to keep up the standard which may be prescribed by the act. Secondly, it is hardly possible for the Government to engage such a large body of inspectors so that they could constantly go round, keep a vigil and see that the

standards are maintained. Government, therefore, has come to the conclusion that the better method would be for Government, in matters of this sort, to take the responsibility on their own shoulders and to compel the employer to pay the cost of these welfare measures. Sir, it is this principle on which this Bill relating to the welfare of workers in mica industries is based. If I may say so, so far as the Government of India is concerned, this is by no means a new principle which they have adopted. As the House knows, during the war the Government of India issued an Ordinance for the Welfare activities of the population engaged in coal mining. It was done by Ordinance. But the principles embodied in the present measure are exactly the same as the principles embodied in that ordinance. It is, therefore, unnecessary for me to dilate upon the necessity or the advisability of the principle on which this measure has been based.

Sir, there is one other point to which I would like to make some reference. As Honourable Members will see, under the Bill it is proposed to constitute two Committees to advise the authorities who will be administering this fund as to how this money should be spent. One Advisory committee will be for the Province of Madras and another will be for the Province of Bihar. Some Members might feel that the Government of India has shown no reason why, for instance, another area which is also a mica producing area has been omitted from this consideration, namely Rajputana. I would like to explain to the House the reason why we have not thought it necessary to constitute a third Committee for Rajputana. Rajputana occupies a very small place, for the moment, in this mica industry and I like to give the House some figures on that point. Take the mica mines in India. I have got the figures for 1941. In Bihar the total number of mines in 1941 were 623. Of them those that worked throughout the year were 297. In Madras the total was 108 and those that worked throughout the year were 47; while in Rajputana, although the total was 62, those that worked throughout the year were only 8. Taking the question of the number of workers, I have got figures for 1943. The figures arc as follows. In Bihar the total number of workers working in mica mines was 81, 431 ; in Madras it was 18,379 ; in Rajputana it was only 15,000. It is, therefore, thought that it would be better not to constitute a separate Committee for Rajputana. The reason is obvious. All these Advisory

Committees involve a great deal of administrative cost, and I do not want that the money in the Fund should be spent on mere matters of administration more than we can help it. We, therefore, propose that it would be better to economize by not having one Committee and to leave the matter to be provided for in some other way. Sir, I do not know whether there is any other clause in the bill which requires any explanation or any specific comment. As the House will see, the matter is very urgent and I am very keen to see that this Bill is put on the statute book.

I find there is an amendment in the name of Honourable Members, the object of which is to send this bill to a Select Committee. I am not willing or rather I am opposed to referring this Bill to a Select Committee, because I do not think that this Bill can be said to be cither controversial or complicated as to require the labours of a Select Committee to be spent upon it. However, if the members of the House arc keen on having the matter referred to a Select Committee, if they agree that the Select Committee shall be authorised or directed to return the Bill before the Session ends, so that I can move the second reading of the Bill, I would not object to such an amendment. Sir, I move.

**Mr. President :** Motion moved :

> "That the Bill to constitute, a fund for the financing of activities to promote, the welfare of labour employed in the mica mining industry be taken into consideration."

**Mr. Ahmed E. H. Jaffer** (Bombay Southern Division : Muhamma-dan Rural): Sir, I move :

> "That the Bill be referred to a Select Committee consisting of the Honourable Sir Ashoka Roy, the Honourable Dr. B.R. Ambedkar, Miss Maniben Kara, Mr. S.C. Joshi, Babu Ram Narayan Singh, Sri R. Venkatasubba Reddiar, Mr. Gauri Shankar Saran Singh, Sri A. Karunakara Menon, Prof. N.G. Ranga, Mr. Geoffery W. Tyson, Mr. Madandhari Singh, Dr. Sir Zia Uddin Ahmad, Khan Bahadur Hafix M. Ghazanfarulla, Mr. Muhammad Nauman and the mover with instructions to report by the 15th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five."

**Mr. President :** Will 15th be all right ?

**The Honourable Dr. B.R. Ambedkar :** No, it will be too late.

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**The Honourable Dr. B.R. Ambedkar** : I did not say that I would have out Rajputana. I shall be constituting a separate committee.

**Diwan Chaman Lall:** I did not hear my Honourable friend say that he would constitute a separate committee. I heard him say, "Some other means". I am glad he says "some separate committee" now. As for as this measure is concerned, Rajputana is left out.

**The Honourable Dr. B.R. Ambedkar :** There welfare measures will be carried out with the aid of this fund.

**Diwan Chaman Lall :** Will the money from Madras and Bihar be taken to help the Rajputana workers ?

**The Honourable Dr. B. R. Ambedkar :** We might employ some other agency, some other organisation in order to carry out the activities connected with welfare workers. The Fund will pay.

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***The Honourable Dr. B. R. Ambedkar :** I do not propose to take very long in replying to the criticisms which have been made against this Bill. I wish to state very briefly my opinion with regard to the points that have been raised to state very briefly my opinion with regard to the points that have been raised by three speakers. I shall first deal with the points raised by my friend Mr. Tyson. I had made no reference in the speech that I made in support of my motion with regard to the surplus stock of mica or the additional cesses that were proposed to be levied and the report of Mr. Justice Reuben. Sir, I deliberately did not touch upon these points in my speech, because I knew that these points would be raised by my friend Mr. Tyson and that I would have to reply to them. If I did not do so it was largely because I wanted to save the time of the House.

Now, Sir, the position is this, that although the Labour Department and the Government of India have decided to proceed with measures of social welfare on the basis of the report made by Prof. Adarkar, the decision was taken by the Labour Department long before the report of Prof. Adarkar was made. I am glad to say that the decision taken

*Legislative Assembly Debates (Central), Vol. V-No. 7, 9th April 1946, pp. 3757-59.

by the Labour Department has been fully supported by Mr. Justice Reuben in his report on the Mica industry.

In fact he himself has suggested that there should be a general levy on the mica produced or exported and that about 5/12 of the receipts under the general cess should be set apart for labour welfare in the mica mines. Therefore in proceeding with this measure we are in no sense departing from the report made by Mr. Reuben. All that we have done is that instead of having a single cess as suggested by Mr. Reuben to be distributed and allocated for different purposes we have thought it necessary to have a separate fund for welfare and another fund for certain administrative measures that may be necessary for the industry as such. The reason for making this decision is obviously due to the fact that the welfare fund will have to be administered by a separate agency, while the fund for other purposes will have to be administered by a separate agency. There my Honourable friend Mr. Tyson will see that the decision of the Government of India is in full accord with the report of Mr. Reuben.

With regard to, the additional cess we have, as my Honourable friend will see, fixed the cess in the initial stage at a very low figure. The figure suggested in the Reuben report is 6 per cent, ad valorem.....

**Mr. Geoffrey W. Tyson :** Labour or General ?

**The Honourable Dr. B. R. Ambedkar :** General. This is a matter which will have to be examined at a later stage as to exactly what should be the pitch of the cess in order that the cess may produce sufficient revenue which would be adequate both for welfare and other purposes.

**Diwan Chaman Lall :** How much does my Honourable friend expect ?

**The Honourable Dr. B.R. Ambedkar** : Wait, I will come to that a little later. With regard to the question of surplus stock I would like to inform the House that the Government of India has been in negotiation with His Majesty's Government for a long time over the question of the disposal of surplus stocks of mica which have been held by His Majesty's Government as well as by the United States. I am glad to say that we have come to an agreement whereby no sort of harm will be done to the mica industry by the disposal of the surplus stock. The negotiation has reached the final stage and in a few days time a press note will be issued informing the industry and the general public

of the arrangement which has been arrived at between His Majesty's Government and the Government of India. I might say that this arrangement has the fullest support of the mica industry itself.

With regard to this measure I would like also to inform the House that this measure has been undertaken with the fullest consent of the industry itself. This question was first broached by me at a conference which was held at Kodarma on 29th April 1944, at which I presided and the representatives of the mica industry were also present, and I was glad to find that the industry as a whole responded to my suggestion for having a welfare fund. The matter was again taken up on 9th November 1945, at a conference held at Dhanbad under the chairmanship of the Coal Mines Welfare Commissioner. There again, the producers of mica accepted the suggestion. Lastly, a third conference was held on 19th December, 1945, also at Dhanbad under the chairmanship of the Secretary of the Labour Department, where a final agreement was reached between the Government and the Mica mineowners. I would also like to state that our proposal to levy a cess on the industry does not seem to have discouraged the industries from further exploiting the field of mica production and I find that during the last few months, there have been to my knowledge at any rate, three big flatations of new companies which have entered into the field of mica. I find, for instance, a new flatation under the name of Micantic and Mica Products Co., Ltd., from Madras with an authorised capital of Rs. 5 lakhs. Another is called the Saraswati Mica Industries Limited, from Calcutta with an authorised capital of Rs. 5 lakhs and I know as a matter of fact that the Christian Mining Industries Ltd., have also applied for capital issues for mica mining and for the establishment of a micanite factory. These circumstances would show that the cess has not been viewed by the industries in any tragic manner and I think that they believe that it would be possible for the industry to bear the burden of this welfare cess.

Coming to the points made by my friend Diwan Chaman Lall, I must apologise for not supplying him with a copy of the report which he had asked for at some early stage. I must say that I altogether forgot about it. But I do not think that he has in any way lost in dealing with the matter in the way in which he has dealt with it. All that probably he would have done if he had the report is that he would have made a speech of double the length of what he did.

With regard to the question that he put to me as to how much revenue the cess will produce, I hestitate to give the house any definite figure and the reason is quite obvious. The production of mica has not been at a very steady figure. For instance, I have figures here from 1934 to 1944. In 1934, the value of mica produced was Rs. 6,30,525, while in 1944, it was 2,73,01,458 and there have been various figures for the different years in the intervening period. It is no use, therefore, for me to give the House any particular figure. We must allow sometime for the industry to stabilise itself in the post-war period. But taking the figure for 1944, I calculate that the cess would be somewhere in the neighbourhood of Rs. five lakhs. I quite appreciate that that is not a very large sum. Personally, if I may say so, what I am fighting for is the establishment of a principle. If later on it was found that the fund was not sufficient, it would be still open for any member of the Government who would be in charge of this to come forward and increase the cess and thereby augment the amount and carry on the measures of social welfare which otherwise would not be possible.

With regard to the Mica Purchase Mission, the point to which my friend made reference, is a matter not relevant to the Bill which we are considering and I do not therefore propose to enter into the questions arising out of the Mica Purchase Mission's activities. But I can tell my friend that so far as I know anything about it, the industrialists engaged in the production of mica in this country have not only not had any harm done to them but I am quite satisfied that they have made more than ordinary profits.

My friend, Diwan Chaman Lal, spent a great length of his speech in discussing the lax administration of the Mines Act. He referred to the employment of children and of other matters relating also to employment of women. As I said, I am quite aware of this fact, and the Labour Department has on the anvil legislation to remove all the defects which have been reported upon by Mr. Adarkar in the course of his Report dealing with the workers in mica mines. And if there was time available to Government, it would have been possible even in this session, to bring forth a Bill to remove those evils. But I have no doubt that that will be done without delay.

Coming to the points reaised by my friend, Mr. Ram Narayan Singh, I know he made a great point, that this was a very delayed measure.

He said that the mica industry was there, the evils have been there, Government has been here and nothing was done. If I may tell him, he only forgot to mention one tiling, that lie also was there, and for a long number of years. If he had taken the earliest opportunity to move in this matter to energize and organize the conscience of the Government and of the industrialists, I have no doubt that the delay of which he has complained would never have occurred. But I hope he will agree that it is better late than never.

With regard to the question of administration of the Fund, I think the point that he made was that the administration should be left to the Provincial Governments. I am sorry to say that I cannot accept that principle. This legislation is a Central legislation. It is a legislation for which the Central Government is responsible. The Fund is raised by the Central law. The Fund is raised for a particular and specific purpose. Having regard to these circumstances, it seems to me unjustifiable on the part of the Government of India to allot the whole of this sum to the Provincial Governments, where they might be merged in the general revenues of the Province and spent, I suppose, in accordance with the wishes—I do not say whims of the Provincial Government. I am of opinion, since the responsibility for the Fund is a Central responsibility, since the Fund is for a specific purpose, and since it would be a sort of a trust which the Government of India would be administering, it is in every way desirable—not only desirable but necessary—that the Central Government from beginning to end should keep its hand on the administration of this Fund. While this is so, I should like to tell my Honourable friend that he has probably not studied the way in which , the Coal Mines Labour Welfare Fund is administered. I would therefore like to tell him some details about it because the administration of the Coal Mines Welfare Fund would be the model—indeed not only the model but the pattern—on which the administration of this Fund will be carried on. In the matter of the Coal Mines Welfare Fund, the administration is vested in a Commissioner who is generally a provincial officer, an officer lent by the Provincial Government. If I may tell him, the person who is now administering the Coal Mines Welfare Fund is an officer lent by the Bihar Government, and he should rest assure that even in the matter of the administration of the Mica Fund we shall be applying to the Bihar Government to lend us an officer

of the Bihar Government. As I said, and as the Bill provides, the constitution of the Committee will be such that the representatives of the mica industry from Bihar and also from Madras, would be local people knowing local conditions. Further, according to the constitution of the Coal Mines Welfare Fund, the orders provide by rules that the Provincial Governments shall send their representatives to be members of the Advisory Committee. The same procedure will be followed with regard to the Mica Advisory Committee. We shall provide that by rules. These Committees meet every three months, certain agenda is prepared and the advice of the Committee is sought. There are men drawn from producers, owners, workers and from Provincial Governments as well. The annual budget is also placed before the Advisory Committee. Their advice is obtained. It is after their advice is obtained that the Funds begin to operate on the various purposes for which money has been provided.

With this I believe my friend, Mr. Ram Narayan Singh, will see that there is not going to be any autocracy from the centre. Here is a great deal of decentralization, a great deal of co-operation in the administration of this Fund between the producers, the workers and the Provincial Government. Sir, I do not think that there is any other point which has been raised in the course of the speeches on this Bill to which I have not given my reply, and I do not think, I need say anything more than this.

**Mr. President**: The question is :

> "That the Bill be referred to a Select Committee consisting of the Honourable Sir Asoka Roy, the Honourable Dr. B. R. Ambedkar, Miss Maniben Kara, Mr. S. C. Joshi, Babu Ram Narayan Singh, Sri R. Venkatasubba Reddiar, Mr. Gauri Shankar Saran Singh, Sri A. Karunakara Menon, Prof. N. G. Ranga, Mr. Geoffrey W. Tyson, Mr. Madandhari Singh, Dr. Sir Ziauddin Ahmad, Khan Bahadur Hafizz M. Ghazanfarulla, Mr. Muhammad Nauman and the mover, with instructions to report by the 12th April, 1946, and that the number of members whose presence shall be necessary to constitute a meeting of the Committee shall be five." The motion was adopted.

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# 66

## * Industrial Employment (Standing Orders) Bill

**The Honourable Dr. B.R. Ambedkar** (Labour Member): Mr. President, Sir, I move :

> "That the Bill to require employers in industrial establishments formally to define conditions of employment under them be taken into consideration.

Sir, this is a very simple measure and, so far as I can see, is a non-controversial measure. The object of the Bill is to have the terms and conditions should be certified by a competent officer appointed for that purpose, and that it should form a sort of register of what the terms and conditions of employment are in any particular establishment. The Bill seeks to make a difference between mere registration of the terms and conditions of employment and adjudication upon the fairness and reasonableness of those terms and conditions of employment. This Bill does not touch the question of adjudication of the fairness and reasonableness of the terms of employment. Every employer is free under this Bill to fix whatever terms and conditions of employment he may like to fix. All that the Bill requires is this, that he should, after framing the terms and conditions of employment applicable to workmen employed in his establishment submit them to an officer employed by the Government and that the officer will take a note of those terms and conditions, enter them in his register, and this register will be the basis of determining what actually the terms and conditions were. In other words, if I may put it differently, the Bill is merely enacting what might be called a rule of evidence, so that if this Bill passes, if there is any dispute as to what the terms and conditions were with regard to any particular establishment as between the employer and the workman, the evidence that the law will admit will be the documentary evidence, a certified copy furnished to the employer by the certifying officer, and

*Legislative Assembly Debates (Central), Vol. V,-No. 9, 12th April 1946, p. 3914.

that oral evidence will not be permitted. If the House will refer to clause 12 of this Bill they will see this point made abundantly clear. It says :

> "No oral evidence having the effect of adding to or otherwise varying or contradicting standing orders as finally certified under this Act shall be admitted in any Court."

That is really the purport of this Bill. As I said, there is no new principle involved in it. Such an Act exists in the province of Bombay already and all that the Bill proposes to do is to extend the provisions of that Act to other provinces in India.

The Bill has several clauses which are mere matters of procedure, defining how the certifying officer shall proceed in the matter when he receives the text of the terms and conditions from the employer. He is required to give notice to the workman employed in that establishment and to hear them before giving any certificate. The employer, if he finds that the terms and conditions he has proposed are perfectly in accord with the provisions of this Act and the certifying officer does not issue to him a certificate, he has the right also to go to an appellate court and get the decision of the certifying officer reversed.

I do not think it necessary for me to take the time of the House, especially when we are so short of it, to dilate upon the different clauses in this Bill. But I think it necessary for me to state why the Government thinks that this Bill is not only necessary but is also very urgent. This Bill is very integrally related to another measure which Government has in contemplation and that relates to the Health Insurance, which the Government proposes to bring forth at the next Session. The Health Bill gives an employee certain rights with regard to benefits ; it levies certain obligations upon them to make contributions to the Health Insurance Fund. These rights and obligations are very integrally related to, for instance, the wages which the employee would be drawing in different establishments. Now, disputes may arise as to the contribution that an employee is bound to pay to the fund. Disputes may arise as to what benefit an employee is entitled to draw under the insurance fund. In order that such disputes may be settled finally, Government thinks it necessary that the terms and conditions of employees should be certified and laid down in a document, so that when the dispute arises we will have before us unimpeachable evidence as to the wages and

other conditions by which the employee is bound. In fact it is felt that it would be very difficult to work the health insurtance fund unless and until we have placed beyond cavil, beyond doubt and beyond dispute certain questions relating to the employment of the workers in the industrial establishments.

With these observations I move that this Bill be taken into consideration.

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***The Honourable Dr. B.R. Ambedkar :** Mr. President, I did not think that my motion that the Bill be passed would invoke the sort of debate that we have heard just now. I cannot help saying that I was particularly amazed at the speech of my Honourable friend Dr. Sir Zia Uddin Ahmad and I have a sort of fear that his speech was due to the fact that he probably had eaten something which was indigestible for his lunch, because as we know Dr. Zia Uddin Ahmad has been a most persistent advocate of labour legislation and more than once he has on the floor of the House urged upon me the necessity of bringing in labour legislation of far greater magnitude and without any delay. Today he has made a speech of just the opposite tenor. But I am glad to see that his observations on that point have been so completely answered by my friend Mr. Siddiqi that I think I would not be justified in taking the House over that matter again.

There is only one point which he made to which I would like to give a reply. He said that he had not sufficient notice about this Bill. The position with regard to that matter stands as follows. The agenda on which this Bill was placed was circulated to the Honourable Members on Friday, the 6th instant. On that agenda this Bill was placed as the first item of Legislative Business and not only it was placed as part of the Legislative Business but there was added a footnote in which it was definitely stated that this item would be taken on Friday, the 12th April, 1946, as the first item of Legislative Business. I do not know whether six days notice can be regarded as insufficient.

So far as the Bill itself is concerned I had hoped that I should be able to get it through within 15 minutes but we have now practically spent nearly one hour and five minutes in dealing with this Bill and

*Legislative Assembly Debates (Central), Vol. V-No. 9, 12th April 1946, p. 3926.

I cannot therefore see how anybody could say that I am trying to rush this measure through the House.

With regard to the point made by my friend, Mr. Inskipt, that in this matter they had not had sufficient notice to consult their clients, I cannot help saying that he has entirely misunderstood the previous history, or forgotten the previous history of this Bill. This Bill was placed before the Standing Labour Committee in the year 1944. The Committee was completely unanimous and the Committee suggested that the Bill was so necessary and that it was so non-contentious that Government might as well pass the Bill in the form of an ordinance, which we did not do. Thereafter, the matter was again discussed in the Indian Labour Conference.

Another point which he made was that the Bill, as it is now presented to the House, was not in the same form in which it was placed before the Labour Conference. I would like to tell him that it is entirely a mistaken view. Government has made no changes whatsoever in the form of the Bill as it was placed before the Tripartite Conference.

My friend, Professor" Ranga, raised a question regarding the applicability of this Bill to smaller factories. My friend, Mr. Gwilt, also emphasized it and said that I should give an explanation. Anyone who read sub-clause (3) of clause 1 would not certainly be labouring under any such misapprehension that the Bill is intended only to industrial establishments wherein one hundred or more workmen are employed, because that clause itself states that Government will have the power and the authority to extend this "to such class or classes of other industrial establishments as the appropriate Government may from time to time, by notification in the Official Gazette, specify in this behalf." Government, therefore, has retained the power in its own hands to make it applicable to industrial establishments which may have less than hundred people. Therefore, any fear which is entertained on the ground that this is intended primarily to apply to industrial establishments wherein one hundred or more persons are employed and that consequently other establishments employing lesser number of people would be excluded, is a fear which I submit is completely unfounded.

**Diwan Chaman Lall :** May I intervene for a minute ? On page 2, in clause 2(e) (ii), under definition of industrial establishment it is stated that " it means a factory as defined in clause (j) of section 2 of the

Factories Act". I take it that factory as defined there is covered by the Factories Act. But a factory of twenty people will not be covered by the definition of "industrial establishment" given here.

**The Honourable Dr. B. R. Ambedkar :** But Government may apply it even to a factory having twenty persons.

**Diwan Chaman Lall :** It may ; but it does not mean that it should.

**The Honourable Dr. B.R. Ambedkar :** We are starting with those having one hundred.

**Mr. Leslie Gwilt**: Why not start with less ?

**The Honourable Dr. B.R. Ambedkar :** There is nothing to prevent Government from starting with even a lesser number.

**Diwan Chaman Lall :** If the Indian Factories Act can apply to an establishment where there are only twenty people employed, why should not this also apply similarly to an industrial establishment under this Bill ?

**The Honourable Dr. B. R. Ambedkar :** As it is, there is nothing under the Act which will not enable Government to impose the obligation upon even factories employing twenty persons. We thought fit to make a beginning. Further, the administrative machinery may probably have to be very vast if it were to apply to every factory. The number of certifying officers and appellate authorities may be too many and no Provincial Government may be in a position to provide that administrative machinery. It is necessary to make a beginning on a modest scale, reserving to ourselves the power to extend it to all those where such extension may be necessary.

I do not think there is any other point which was made in the course of the speeches on this motion which calls for explanation.

Sir, I move :

**Mr. President :** The question is :

> "That the Bill, as amended, be passed."

The motion was adopted.

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# 67

## * Mica Mines Labour Welfare Fund Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : Sir, I move:

> "That the Bill to constitute a fund for the financing of activities to promote the welfare of Labour employed in the Mica Mining Industry, as reported by the Select Committee be taken into consideration."

The Bill has emerged practically as it was from the Select Committee with changes which are so inconsequential that I think it would be wrong on my part lo take the time of the House to refer to it. I will therefore do no more than move the motion.

**Mr. Deputy President :** The question is :

> "That the Bill to constitute a fund for the financing of activities to promote the welfare of Labour employed in the Mica Mining Industry, as reported by the Select Committee be taken into consideration."

The motion was adopted.

**Mr. Deputy President :** The question is :

> "That Clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clauses 3 and 4 were added to the Bill.

**Mr. Deputy President :** Clause 5.

**Pandit Mukut Bihari Lal Bhargava** (Ajmer-Merwara : General) : Sir, I beg to move **:**

> "That in sub-clause 3(a) of clause 5 of the Bill, after the word 'fund' and before the word 'and', the following be inserted, namely :—
>
> > 'Provided that no officer shall be deemed to be competent to enter a private dwelling house between the hours of sunset and sunrise and in case of such dwelling house being occupied by women without proper notice of such entry to the inmates '."

**Mr. Deputy President** : The Honourable Member just now has given notice of this amendment. It has not been circulated to the Members.

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*Legislative Assembly Debates (Central), Vol. V, No. 4, 15th April 1046, p. 4024.

**The Honourable Dr. B.R. Ambedkar :** Sir, I object to it.

**Mr. Deputy President :** I am afraid this amendment has come too late and it cannot be permitted at this stage.

**Prof. N.G. Ranga** (Guntur-*cum*-Nellore : non-Muhammadan Rural): Have you any objection to that ?

**The Honourable Dr. B. R. Ambedkar :** I strongly object to it.

**Mr. Deputy President :** Does the Honourable Member want to speak on clause 5 ?

**Pandit Mukut Bihari Lal Bhargava :** No, Sir.

**Mr. Deputy President :** The question is :

"That Clauses 5 and 6 stand part of the Bill."

The motion was adopted.

Clauses 5 and 6 were added to the Bill.

Clause 1 was added to the Bill.

The Title and Preamble were added to the Bill.

**The Honourable Dr. B.R. Ambedkar :** Sir, I move :

"That the Bill, as amended, be passed."

**Mr. Deputy President** : Motion moved **:**

"That the Bill, as amended, be passed."

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# 68

## Miscellaneous

### * SCHOLARSHIPS FOR SCHEDULED CASTE STUDENTS

With a view to improving the educational and economic condition of the Scheduled Castes, the Government of India have decided to give scholarships for the year 1946-47 to students belonging to these classes in British India who wish to pursue their studies in scientific and technological subjects beyond the Matriculation stage. These scholarships are tenable in India only. No scholarships for studies abroad will be awarded by the Board this year.

The amounts awarded will cover the entire cost of education including the tuition fee and other maintenance charges. In the case of Shorthand and Typewriting, short period stipends of the value of Rs. 20 p.m. only will be awarded.

The courses for which awards will be available are :

(1) Intermediate with Science, (2) B. Sc. (Pass or Honours), (3) M. Sc., (4) Engineering, (5) Technology, (6) Medical, (7) Agriculture, (8) Teacher's Training and (9) Shorthand and Typewriting.

Women students offering Arts subjects in the Intermediate and Graduate courses will be eligible for the award of scholarships provided they give an undertaking that they will pursue the Teacher's Training course at the end of their approved courses of study. If they do not fulfil this condition they will be required to refund the amount of their scholarships.

### @ T.V.A. EXPERTS TO ADVISE ON DAMODAR VALLEY PROJECT

Mr. Ross M. Riegel and Mr. Fred C. Schlemmer, leading engineers of the Tennessee Valley Authority, have arrived in India on a mission

*Indian Information, March 15, 1946, p. 310.

@ Indian Information, April 1, 1946, p. 403.

to advise on the plans being made by the Central Technical Power Board for the Maithon. Alyar and Panchet Hill Projects. These are the first three of the dam sites in the Damodar Project for which outline designs and detailed estimates are being prepared at present. The plans and designs for the Maithon Project are in a relatively advanced stage. In regard to the other projects, a good deal of topographical and other data is still in course of preparation.

**Four Reports**

Mr. Riegel and Mr. Schlemmer do not expect to be in India for more than eight weeks, their services having been made available to the Government of India by the Tennessee Valley Authority, with the approval of the State Department, Washington. It is hoped to associate two leading Indian civil engineers with the Mission, but the present circumstances in which exceptional efforts are being made to carry out irrigation projects in connection with the "Grow More Food Campaign" have made it difficult for the Indian engineers to join the Mission as yet.

The Mission is to make four reports. Two are to be made to the central Technical Power Board, and are to comprise a critical examination of the Board's proposals for the form of design to be adopted and the construction schedule at the dam sites. The other two reports will be made to the Government of India and will cover recommendations as to the methods of preparing detailed working designs and carrying out construction work.

## *WELFARE TRUST FUNDS FOR WORKERS

The creation of Welfare Trust Funds for industrial employees was discussed at the eighth session of the Standing Labour Committee, held on March 15 and 16 in New Delhi with the Hon'ble Dr. B. R. Ambedkar, Member for Labour, in the chair. A proposal that the Funds should be financed by the employers on the basis of a certain percentage of the profits and administered by a committee consisting of representatives of both workers and employers was examined. The question whether welfare schemes should be made compulsory by Statute for all classes of employers was also discussed.

*Indian Information, April 15, 1946, p. 442.

Other items discussed by the Committee were the desirability of Central legislation for unregulated factories, amendments to the Trade Disputes Act, the extent of unemployment likely to occur in industries, the attitude of Employment Exchanges during strikes or lock-outs and the Mine Workers' Charter proposed by the I.L.O.

Representatives of the Central and Provincial Governments, Indian States, and employers' and employees' organisations attended the meeting. Lala Kripa Narain, Mr. Shanti Lal Mangaldas Mr. Bhagwandas C. Mehta, the Hon'ble Mr. H.D. Townend and Rai Bahadur Syamnandan Sahay were the delegates on behalf of the employers and Messrs. N.M. Joshi, N.V. Phadke, V.S. Karnik, A.K. Mukerjee and R.R. Bhole represented the workers.

## *SOCIAL SECURITY OF LABOUR

### *Rege Committee Reports*

Data relating to all aspects of labour conditions embodied in 35 reports running to nearly two million words have been complied by the Labour Investigation Committee appointed by the Government of India on February 12, 1944, with Mr. D.V. Rege I.C.S., as Chairman and Mr. S. R. Deshpande, Dr. Ahmad Mukhtar and Prof. B. P. Adarkar as members. Twenty of these reports were placed on the table of the House in the Central Legislative Assembly on April 9, by the Hon'ble Dr. B. R. Ambedkar, Labour Member.

The data collected by the Committee relate to the wages and earnings, employment, housing and social conditions of labour in 38 selected industries, namely : *Mining*—Coal, Manganese, Gold, Mica, Iron Ore and Salt: *Plantations*—Tea, Coffee and Rubber: *Factories*—Cotton, Jute, Silk, Woolen, Mineral Oil, Dockyard, Engineering, Cement, Matches, Paper, Carpet weaving, Coirmatting, Tanneries and Leather Goods Manufacture, Potteries, Printing Presses, Glass Chemical and Pharmaceutical Works, Shellac, Bidi-making, Mica Splitting, Sugar, Cotton, Ginning and Baling and Rice Mills ; *Transport*—Tramways and Buses and Non-gazetted Railway Staff; and *Other Types*—Port Labour, Municipal Labour, Central P.W.D., and Rickshaw Pullers. This is expected to help the future planning of social security for labour and legislation by the Government.

*Indian Information, April 15, 1946, p. 568.

## The Sampling Method

As it was felt that the peculiar problems of labour had more an industry-wise than a region-wise dispersion, the Committee adopted the sampling method and conducted an industry-wise survey throughout India. During their two years of work, the Chairman and the members individually toured the whole of the country visiting 65 Industrial centres as far apart as Srinagar and Trichinopoly, Quetta and Shillong. On-the-spot investigations were carried out in 528 centres including plantation estates and mines. No less than, 1,631 establishments relating to various industries were surveyed. Questionnaires containing hundreds of questions were issued to various industrial concerns, Provincial and State Governments, Officials and Employers' and Employees' Organisations. The quantity of factual material analysed on the Committee may be illustrated by the fact that with regard to the wage census alone 34,080 forms were received.

The Committee employed a field staff containing of 16 Supervisors and 45 Investigators who were sent out on *ad hoc* surveys. This staff not only collected information on the spot at the various centres but also drew upon some other possible source of information. They personally contacted employers, workers and officials during the course of their investigations.

Representative centres were selected region-wise for the survey so as to discover differences in the conditions of labour in the same industry in different parts of the country. The selection of a concern was generally based on its importance, size, etc., and whether it was subject to statutory regulations or not. Enquiries related to protection given by existing Labour legislation, wages and earnings of labour, working conditions, indebtedness, age and mortality statistics, welfare activities and social security measures.

The Committee were considerably assisted in their work by Provincial and Stale Governments, local bodies, port authorities and Employers' and Employees' Organisations.

## DEPARTMENT OF WORKS, MINES AND POWER

The division of the Labour Department with the establishment of a new Department of Works, Mines and Power, came into effect on April 8.

The Department of Works, Mines and Power will deal with such subjects as the central Public Works Department and execution of Central Works Projectors, Civil Engineering, Mines and Minerals, the Geological Survey of India, Major Irrigation Works including Central Waterways, Irrigation and Navigation Commission, Electricity and Stationery and Printing.

The Labour Department will continue to deal with all subjects connected with the I.L.O., Welfare of Labour, Labour Relations, and Security Measures, Legislation and Enforcement of Labour Laws, Safety Measures, Resettlement of Ex-Servicemen and Women, Technical and Vocational Training Schemes, Labour Laws and Statistics, Research and Investigation.

Both Departments will be in the charge of the Hon'ble Dr. B. R. Ambedkar, Labour Member. Coal production will however remain temporarily in the charge of the Industries and Supplies Member.

The Hon'ble Mr. H.C. Prior will be Secretary of the Department of Works, Mines and Power and Mr. S. Lall, Secretary of the Department of Labour.

## *THE DAMODAR PROJECT

Quick investigation of the possibility of starting immediately the construction of the first dam (at Tilaiya) in the Rs. 55 crores Damodar River Project was recommended at a conference of the representatives of the Central Government and the Governments of Bengal and Bihar held in New Delhi, on April 23 and 24 under the Chairmanship of the Hon'ble Dr. B. R. Ambedkar, Labour Member, Government of India.

This multi-purpose scheme is intended to control the floods of the Damodar and its tributaries, provide perennial irrigation and power for the benefit of nearly 4,000,000 people living in the valley and also provide navigation facilities. The whole scheme comprises a series of eight dams and reservoirs which when constructed will impound about 4,700,000 acre-feet of water for irrigating some 800,000 acres of land and produce nearly 350,000 kws. of electricity.

*Indian Information, June 1, 1946, p. 682.

## Maithon Dam

After considering the reports of the central Technical Power Board and the advice of the Tennessee Valley Authority engineers, Messrs. Ross Reigel and Fred C. Schlemmer, and their associates, Rai Bahadur A.N. Khosla and Mr. M. Narasimhaiya, Chief Engineer, Mysore State, the conference was convinced-of the advisability of pushing forward as rapidly as possible the scheme as a whole. It has accepted the proposal that the dams across the Barakar, tributary of the Damodar, should be at Tilaiya (near Kodarma) and at Maithon, just above its confluence with the main river.

The conference felt, however, that the start of construction of the larger Maithon dam must be postponed to October 1947, as it was not posssible for both the Bihar and Bengal Governments to enter into definite commitments in sufficient time to enable contracts to be entered into with engineers and contractors, which must necessarily be done almost at once if a start were to be made by October 1946— the only other alternative. This postponement would, however, give time to consider in detail a proposal to raise the height of the dam at Maithon rather than consturct a second reservoir in the mid-Barakar area.

In respect of the Tilaiya dam, it was felt that there were fewer difficulties in making a start. Its early construction would not only provide water for irrigation and facilitate resettlement problems but also power which would be useful in the construction of the Maithon dam. The conference, therefore, advised quick investigation of the possibility of starting work on the Tilaiya dam in advance of other projects.

The representatives of the Bengal and Bihar Governments stated that their Governments would not be able to carry out the scheme themselves and suggested the appointment of an Authority for administering the scheme. The Government of India said they proposed to appoint Mr. B.K. Gokhale, formerly Adviser to the Governor of Orissa, to look into administrative aspects and prepare within six months a scheme for the Damodar Valley Authority.

## Compensation for Land Acquired

It was decided that full and fair compensation should be paid for the land acquired for the purpose of constructing reservoirs and that

payment should, as far as possible, be in kind, by giving land for land. The officer-in-charge of administration will prepare a detailed scheme for the settlement of dispossessed persons on new land so as to ensure to them a source of livelihood at least as good as they enjoyed on their original lands.

The conference agreed that the cost of investigations and surveys should be shared between the Central and the Provincial Governments concerned and that the general supervision should be under the central Technical Power Board, and in irrigation and navigation matters the Central Waterways, Irrigation and Navigation Commission.

## *SCHEDULED CASTES AND CENTRAL SERVICES

By a Resolution published in the *Gazette of India* of June 15, 1946, the Government of India have decided to increase the reservation in favour of Scheduled Castes of vacancies filled by direct recruitment in the Central Services from 8⅓ per cent, to 12½ per cent, so as to bring it in accord with the population ratio.

Rules (1) and (2) in paragraph 4 of the Resolution of August 11, 1943, are accordingly amended as follows :—

"(1) 12.5 per cent of all vacancies to be filled by the direct recruitment of Indians in the Central Services to which recruitment is made on an all-India basis will be reserved for Scheduled Castes."

"(2) In the case of services to which recruitment is made by local areas or circles and not on an all-India basis (e.g., Subordinate posts in the Railways, Posts & Telegraphs Department, the Customs Services, the Income Tax Department, etc.) the over-all reservation of 12.5 per cent. of vacancies for Scheduled Castes candidates will be obtained by fixing a percentage for each local area or circle having regard to the population of the Scheduled Castes in the area or circle concerned and the rules for recruitment adopted by the Provincial Government of the area or circle concerned."

●●

*Indian Information, July 15, 1946, p. 34.

***The communique issued from Viceroy's House on August 24, 1946, stated that His Majesty the King has accepted the resignation of the members of the Governor General's Executive Council. In the new Ministry Dr. B. R. Ambedkar was not included.***

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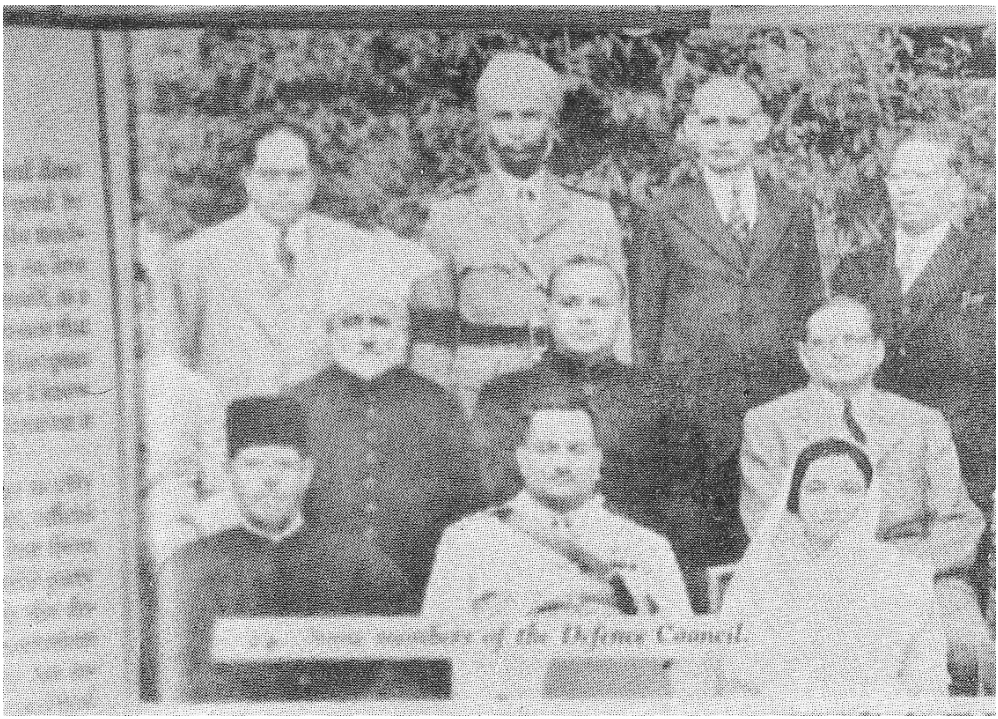

**Dr. Ambedkar with some members of the Defence Council of India.**

*(Courtesy : Bhikkhu Sumedh. Bombay.)*

**The Hon'ble Dr. B. R. Ambedkar, Labour Member, addressing the First Session of the Plenary Labour Conference in Delhi on Monday, September 6, 1943.**

*(Courtesy : Dr. Babasaheb Ambedkar Research Institute. Nagpur.)*

**The Hon'ble Dr. B. R. Ambedkar talking to Colliery Labour during his tour of Coalmine areas on December 9, 1943.**

(*Courtesy : Dr. Babasaheb Ambedkar Research Institute, Nagpur.*)

**Dr. B. R. Ambedkar, accompanied by Mr. S. Lall, Joint Secretary, Government of India, Department of Labour, inspected Calcutta Employment Exchange. He is seen here discussing with Mr. A. Hughes, Labour Commissioner of Government of Bengal, on August 23,1944.**

(*Courtesy : Dr. Babasaheb Ambedkar Research Institute, Nagpur.*)

# Part II

## Important Correspondence, Memoranda, Statements, etc. during 1942-46

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# SECTION I

## MEMORANDUM

*Confidential*
*Not for Circulation*

# GRIEVANCES
## OF THE
## SCHEDULED CASTES

***By***

**THE HON'BLE DR. B. R. AMBEDKAR**
M.A., PhD., D.Sc., Barristcr-at-Law
Member, Governor General's Executive Council

**MEMORANDUM**
**Submitted to**

**HIS EXCELLENCY THE GOVERNOR-GENERAL**

**on the 29th October 1942**

**22, PRITHVIRAJ ROAD**
**NEW DELHI**

[*Reprinted from a booklet published by the author*]

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# GRIEVANCES OF THE SCHEDULED CASTES

## INTRODUCTION

This Memorandum sets out the grievances of the Scheduled Castes in British India and suggests the measures that are necessary for redressing them. In listing the grievances I have taken note of such grievances only as the Central Government alone can remedy.

The grievances listed in this memorandum are divided into three categories (1) Political, (2) Educational and (3) Other Grievances, and are discussed separately. Part I deals with Political grievances, Part II with Educational grievances, and Part III with Other grievances. To this I have added Part IV in which I have ventured to speak of the duty which every Government must assume towards those who are living in a life of perpetual distress, in the hope that the Government of India will recognize it and do what they are bound to do to the Scheduled Castes.

I have thought it advisable to give below a table divided into Parts. This table, it will be seen serves two purposes. It gives at the start the contents of this memorandum, and secondly it helps to convey at the outset a general idea of what these grievances are.

**Part I. *Political Grievances***

1. Inadequate Representation in the Central Legislature.
2. Inadequate Representation in the Central Executive.
3. Absence of Representation in the Public Services.
4. Absence of Representation on the Federal Public Services Commission.

**Part II. *Educational Grievances***

5. Want of Aid for University and for Advanced Education.
6. Want of Facilities for Technical Training.

**Part III. *Other Grievances***

7. Untouchables and Government Publicity.
8. Untouchables and Government Contracts.

**Part IV. *Duty of Government towards Distressed people.***

# PART I

## POLITICAL GRIEVANCES

### I. Inadequate Representation in the Central Legislature

1. As at present constituted the Central Assembly consists of 141 members. Of these 102 are elected and 39 nominated. Of the nominated members 19 are non-Officials and 20 are Officials. Of this total of 141 there are two who belong to the Scheduled Castes. Consider as against this the population of the Scheduled Castes. The census in India has become a political affair; and the Hindus, Muslims and the Sikhs have been attempting to cook up the census so as to show a rise in their numbers. This is done mostly at the cost of the untouchables. It is therefore difficult to get a correct figure of their population. Whatever estimate the census gives, it is bound to be an underestimate. However, taking the figure of 40 millions which is the figure given in the census of 1940 there can be no doubt that the representation of the Scheduled Castes in the central Legislature is ridiculously low.

2. To make the position clear, I give below two tables which have a bearing on this question :

TABLE No. 1

**Population in British India**

| Communities | | Total of each community in 1941 | Order of importance in terms of population | Percentage to total population |
|---|---|---|---|---|
| 1 | | 2 | 3 | 4 |
| Total | ... | 295,808,722 | ..... | ..... |
| Hindus | ... | 150,890,146 | 1 | 50.0 |
| Muslims | ... | 79,398,503 | 2 | 23.6 |
| Scheduled Castes | ... | 39,920,807 | 3 | 13.5 |
| Tribal | ... | 16,713,256 | 4 | 5.7 |
| Sikhs | ... | 4,165,097 | 5 | 1.3 |
| Indian Christians | ... | 3,245,706 | 6 | 1.0 |
| Europeans | ... | 122,788 | 7 | ..... |
| Anglo-Indians | ... | 113,936 | 8 | ..... |
| Parsis | ... | 101,968 | 9 | ..... |

*Note.*—In this table only the population of those communities whose position is relevant to the purpose of this Memorandum is given.

TABLE No. 2

*Communal Composition of the Central Assembly*

| Community | Elected Members | | Nominated Non-Official Members | | Nominated Official Members | | Total including Official Members | | Total excluding Official Members | |
|---|---|---|---|---|---|---|---|---|---|---|
| | No. | Per cent | No. | Per cent | No. | Per cent | Total | Per cent | Total | Per cent |
| 1 | 2 | | 3 | | 4 | | 5 | | 6 | |
| Hindus | 56 | 54.9 | 4 | 21 | 8 | ..... | 68 | 48.5 | 60 | 49.5 |
| Muslims | 34 | 33.5 | 7 | 37 | 3 | ..... | 44 | 31 | 41 | 33.8 |
| Sikhs | 2 | ..... | 2 | 10.5 | ..... | ..... | 4 | 2.8 | 4 | 3.3 |
| Parsis | 1 | ..... | 2 | 10.5 | 1 | ..... | 4 | 2.8 | 3 | 2.4 |
| Europeans | 8 | 7.8 | 1 | ..... | 7 | ..... | 16 | 11.3 | 9 | 7.4 |
| Indian Christians | | | 1 | | | | 1 | | 1 | |
| Anglo-Indians | | | 1 | | | | 1 | | 1 | |
| Scheduled Castes | | | 1 | | 1 | | 2 | 1.4 | 1 | |
| Vacant | 1 | | | | | | 1 | | 1 | |
| Total ... | 102 | | 19 | | 20 | | 141 | | 121 | |

3. This table thorws a flood of light on the extent of representation which the different communities in the Central Legislature have at present. Figures in column 5 give the total representation each community has, with the percentage ratio for some of them. I do not, however, wish to lay stress on them. They include figure for Nominated Officials. They are intended primarily to represent Government and not the communities to whom they belong. Secondly, the communal composition of the Nominated Official Block is variable and not fixed. But I do wish to invite attention to figures in other columns. I will begin with column 6. It gives the total extent of the representation which different communities have secured through election as well as nomination. More striking are the figures given in column 3. It shows that the Hindus have been allowed 54.9% by election. In addition they are given 21% out of the quota reserved for nomination. The Muslims have got 33.5% by election. This is great deal in excess of what they are entitled to on the basis of their population. In addition they are allowed the benefit of 37% out of the quota reserved for nomination. The same is the case with the Sikhs and the Parsis. Both of them have representation through election much beyond what their numbers would justify. Yet each is allowed to have the benefit of 10.5% out of the quota for nomination. As against this, there is the naked fact that the Scheduled Castes who number 40 millions and who form the third largest community in India have no scat by election, and only one by nomination.

4. Given these facts two comments become quite in order. In the first place, the Legislature is quite an unbalanced body. It suffers from both the evils from over-representation of some communities and under-representation of other communities. The evil exists in its most aggravated form. For the over-representation is of communities which are strong and powerful, and the under-representation is of communities which are weak and poor. The second comment relates to the wrong use of the power of nomination. The power of nomination was reserved under the Constitution to rectify the inequalities of representation. To put it in different language, it was intended to give these communities, which did not secure enough representation, by election, sufficient representation through nomination.

There is no principle which seems to govern either the election or the nomination in so far as they relate to the composition of the central Legislature. If at all there is any principle, it is to give Peter more than Paul and then to rob Paul who has almost nothing to enrich Peter who has almost everything.

5. There is no justification for so grave a wrong done to the Scheduled Castes in the matter of representation. In a legislature in which the Muslims and the Hindus are waging a war against each other for rights and privileges and in which both are careful not to lose anything to a third party like the Scheduled Castes what support can a single representative of the Scheduled Caste in a House of 141 get in his right for the rights of the Scheduled Castes ? It was the view of the Southborough Committee, on the recommendations of which the present structure of the Central Legislature is reared, that the nominated officials may be expected to bear in mind the interests of the Scheduled Castes. It is a matter of some considerable interest that the then Government of India refused to accept this view. In their Despatch on the Report of the Southborough Committee, the Government of India said :—

> "But that arrangement is not, in our opinion, what the (Montague-Chelmsford) Report on Reforms aims at. The authors staled that the Depressed Classes should also learn the lesson of self-protection. It is surely fanciful to hope that this result can be expected from including a single member of the community in an assembly where there are 60 to 90 Caste Hindus. To make good the principles of paras 151, 152 and 155 of the Report we must treat the outcastes more generously....."

Unfortunately no generosity was shown by the Government of India to the Scheduled Castes in making its proposal for the composition of the Central Legislative Assembly. They gave them one scat by nomination, and it has continued to be one since 1921.

6. The result of this meagre representation has been quite deplorable. A single representative of the scheduled castes in an Assembly of 141 cannot but feel the utter helplessness of his position. He has to contend against a vast volume of anti-Scheduled Caste prejudices arising from the Hindu side of the House. He cannot depend upon the support either of the Muslim block who are lighting their battle to advance their interests. Nor can he depend upon the Official Block which has been more careful to preserve its good relations with

the major Hindu and Muslim blocks than to support the just interests of the Scheduled Castes. It is not even possible for the single and solitary representative of the Scheduled Castes in the assembly to ventilate the grievances of the Scheduled Castes. I am informed that under the rules made by the President of the Legislative Assembly, the President gives the first chance to speak to those Hon'ble members who belong to a recognised party. I also understand that the President does not recognise a party unless it has the minimum strength of ten members. This means that ordinarily the representative of the Scheduled Castes has no chance of speaking in the House unless he chooses to join a party. For a representative of the Scheduled Castes to be faced with this kind of situation is not a very happy thing. To join a party means for him to subordinate the interests of the Scheduled Castes to that of a party, the principles and interests of which may be quite inconsistent with the principles and interests of the Scheduled Castes. On the other hand, not to join a party means to lose altogether the right to speak. If one may refer to what happened in the Assembly session (September 1942) in the debate that took place on the present political situation in India, the Hon'ble Rao Bahadur N. Sivaraj, the representative of the Scheduled Castes in the Central Assembly, found it difficult to obtain a chance to speak on behalf of the Scheduled Castes, although 5 or 6 Muslim members could easily speak for the Muslims.

7. It is, therefore, greatly necessary that the representation of the Scheduled Castes in the Assembly should be augmented. Of course this can be done only when vacancies occur in nominated non-official seals. When they do occur, justice requires that such vacancies should go to increase the representation of the Scheduled Castes in the Assembly.

## II. Inadequate representation in the Central Executive

8. The Government of India has been very tardy in recognising the right of the Scheduled Castes for representation in the Central Executive. This has been a very sure point with the Scheduled Castes. For they hold that whatever may have been their political status in the past, since the Round Table Conference their political status had

become equal to the status of that of the Muslims, and if the Muslims have a right to representation in the Central Executive, so have the Scheduled Castes. There is no doubt that their contention is well founded. At the Round Table Conference it was the demand of the Scheduled Castes, and not merely of the Muslims, that provision for the adequate representation of the Scheduled Castes should be made by law. The Hindu point of view was not opposed to this demand. All that the Hindus said was that it should be left to convention. Ultimately a compromise was arrived at and it was agreed that the Instrument of Instructions to the Governors of the Provinces and the Governor-General of India should contain a specific clause imposing upon them the obligation to endeavour to include representatives of important minority communities. Although the communities were not specified, there could be no doubt that the phrase "important minorities" was intended to include the Scheduled Castes. At long last the Government of India has recognised this obligation to give representation to the Scheduled Castes in the Cabinet.

9. It must, however, be said that this delay in the recognition of their right has lost much of its virtue by reason of the delay and has not removed this grievance. For the Scheduled Castes feel that their representation in the cabinet is very inadequate. In a Cabinet of 15, there is only 1 Member of the Scheduled Castes while the Muslims have 3 Members. The grievances arise by reason of the great contrast between the representation granted to the various communities and their needs and their numbers. If population alone was the criterion there is no doubt that the Scheduled Castes are very near to the Muslims in the matter of population. It is therefore only fair to say that if the Muslims have three, the Scheduled Castes should at least have two in a Cabinet of fifteen. As it is, the communal formation of the Cabinet seems to be governed by no principle. The Sikhs who number only millions and the Untouchables who number 40 millions are placed on the same footing.

10. The position of the Scheduled Castes in Indian politics needs a great deal of stabilization, and there can be no doubt that the only effective remedy of stabilizing their position in Indian politics is to give them representation in the Cabinet which is demanded by their numbers and their needs. I am sure I am not disclosing any secrets

when I say that in the course of the interview that I had with Sir Stafford Cripps when he came to India he told me that one of the principal objects of His Majesty's Government was to stabilize the position of the Scheduled Castes by their inclusion in the Central Executive which was to be formed during the interim period, so that the Constituent Assembly which under his proposals was to meet to draft the new constitution will find their positions established beyond challenge. I request that this policy should be given effect to when the next step in the direction of the Indianization of the Executive Council takes place.

## III. Absence of representation in the Public Services

11. No greater injustice has been done to the Scheduled Castes than in the matter of their employment in Public Services. Having regard to the scope of this Memorandum I can deal only with those Services with which the Central Government is particularly concerned. They fall into two classes :—

(a) The I. C. S.

(b) The Central Services—

(i) Those recruited on an all-India basis, and

(ii) those recruited locally.

12. Any one who examines the communal composition of these services can have no manner of doubt that the Scheduled Castes have been rigorously excluded from both these Services. To give an idea of the rigorous exclusion of the Scheduled Castes from these Services, I like to present the following facts. I will first lake the position as it stands in the Indian Civil Service. The communal composition of the I.C.S. as it stands at present (1942) is as follows :—

### Communal Composition of the I.C.S.

| Community | | | Number in the I.C.S. |
|---|---|---|---|
| 1. Europeans | ... | ... | 488 |
| 2. Hindus | ... | ... | 363 |
| 3. Muslims | ... | ... | 109 |
| 4. Indian Christians | ... | ... | 23 |
| 5. Anglo-Indians | ... | ... | 9 |
| 6. Parsis | ... | ... | 9 |
| 7. Sikhs | ... | ... | 11 |
| 8. Scheduled Castes | ... | ... | 1 |
| 9. Others | ... | ... | 43 |
| | | Total ... | 1,056 |

Out of 1,056 men in the I.C.S. there is only 1 from the Scheduled Castes. Such is the state of affairs so far as the I.C.S. is concerned.

In the matter of their recruitment to the central services the condition of the Scheduled Castes is equally bad. I do not propose to quote any figures. It is quite unnecessary to overburden this Memorandum with facts. For there is a clear admission on the part of the Home Department of the Government of India relating to this question. In one of their Office Memoranda relating to the recruitment of the different communities the Home Department say :—

> "This Department are much concerned at the almost total lack of progress in the recruitment of the members of the Depressed Classes as revealed by the information available."

The Memorandum from which the above statement is quoted is No. 4/5/38 Ests (s) and is dated 1st June 1939 and records a state of affairs as it existed on that date.

13. How is it that other communities have found a place in the services controlled by the Government of India ? What are the reasons for the exclusion of the Scheduled Castes ? As will be seen the reasons are to be found in the difference in the principles and methods for securing communal representation which the Government of India has adopted towards the Scheduled Castes and the other minority communities in India.

14. The principle of communal representation in the services centrally controlled came into operation in 1925 when the Government of India accepted a Resolution of Mr. Nair on the need of Communal Representation in Public Services moved in the Central Assembly on 10th March 1923 in which he complained that the Public Service was entirely monopolized by the Hindus, and particularly by the Brahmins, and that the other communities had found it extremely difficult to secure a footing. In pursuance of this Resolution the method adopted by the Government of India was to reserve one-third of all permanent vacancies for direct recruitment for the redress of communal inequalities.

15. This method of giving effect to the policy of Communal Representation in Public Services did not satisfy the non-Hindu communities. The matter was taken up at the Round Table Conference and a demand was made for devising a more effective method of gaining the object. This demand was accepted by the Secretary of State and by the Government of India and given effect to in Home Department Resolution No. F. 14-17-8-33 of 4th July 1934.

16. It is this resolution which is now in operation and constitutes the Magna Charta securing justice to all communities in the Public Services of the country. A reference to the provisions of this Resolution is very necessary. It will show why the other minority communities have been so well represented in the Public Services and why the Scheduled Castes have not been represented at all. The Resolution has two fundamental provisions and which, as compared with the old resolution of 1923, are quite new :—

(1) It declares what communities are to be treated as minorities for the purposes of recruitment to Public Services;

(2) It defines a fixed proportion of annual vacancies which are to be allotted to the communities declared as minorities.

17. These are the provisions laid down by the Resolution of 1934 for securing representation to the various communities. Coming to particulars the Resolution in the first place defines the following communities as minorities :—

(1) Muslims, (2) Anglo-Indians, (3) Indian Christians, (4) Sikhs, (5) Parsis.

In the second place, the Resolution fixes the following proportion of annual vacancies to be filled by members belonging to the above mentioned minorities.

**Proportions fixed by the Resolution of 4th July 1934**

| Minorities | | SERVICES | | | |
|---|---|---|---|---|---|
| | | I.C.S. Central and Subordinate Services Recruited on All-India Basis | Railways and Customs | Posts and Tele-graphs | Appraising Department and Preventive Services |
| Muslims | ... | 25% | 25% | 25% | This service is excluded from the operation of the Resolution, apparantly to reserve recruitment for Anglo-Indians only on the ground that the Service re-quires special qualifications. |
| Anglo-Indians | ... | | 8% | 5% | |
| Indian Christians | ... | *8 ⅓ % | 6% | 3½% | |
| Sikhs | ... | ... | ..... | ..... | |
| Parsis | ... | ... | ..... | ..... | |

**Note.*—Para 7 (iii) of the said Resolution says—If communities obtain less than their reserved percentage and duly qualified candidates are not available, the residue of 8 7% will be available for Muslims.

18. What is the provision which this resolution makes to safeguard the position of the Scheduled Castes ? I give below the two relevant provisions of the Resolution. In paragraph 3 the Resolution states that:—

> "No useful purpose will be served by reserving for them (Depressed Classes) a definite percentage of vacancies out of the number available for Hindus as a whole, but they hope to ensure that duly qualified candidates from the Depressed Classes are not deprived of fair opportunities of appointment.

The way in which Government hoped to ensure to the Scheduled Castes a fair share of representation in the Public Services is specified in para 7(1)(vi) of the Resolution, which reads as follows :—

> "In order to secure fair representation for the Depressed Classes duly qualified members of these classes may be nominated to a Public Service even though recruitment to that service is being made by competition".

A persual of these proposals brings out two facts :—

(i) The Resolution does not declare the Scheduled Castes to be a minority.

(ii) The Resolution does not allot to the Scheduled Castes any fixed proportion of the annual vacancies.

It goes without saying that there is a striking contrast between the provisions made by the Government of India for securing the recruitment of the Scheduled Castes and for the other minor communities to the Public Services. This contrast can be expressed in one sentence. The recruitment of the other communities is owing to the Resolution, not left to be a matter of discretion. It has been made a matter of obligation. The recruiting authority must fill in vacancy by recruiting a person, belonging to the community for which the vacancy is reserved. The recruitment of the Scheduled Castes on the other hand has been made a mere matter of discretion. The recruiting authority may fill an unreserved vacancy by appointing a person from the Scheduled Castes.

19. It is owing to this difference between must and may that the Muslims and other communities have been so well represented in the Public Services and the Scheduled castes so completely excluded. No belter result is possible so long as the Government of India leaves

the matter of recruitment of the Scheduled Castes in public services to the discretion and goodwill of the appointing officers. These officers are either Europeans, Hindus or Muslims. The European is blissfully ignorant of the Scheduled Castes, and he has never made the protection of the interests of the Scheduled Castes his special concern. So long as his general authority is maintained he is prepared to follow the advice of his Hindu or Muslim subordinates. The Muslims are naturally striving to strengthen their own position. They are concerned to see that as many vacancies as possible should go to the Muslims : at any rate all those which are reserved to them. The Hindus who had so far the monopoly in the public service and who never know how to share the good things of life with others want to keep the balance to themselves. With their self-interest combined with their age-old prejudices against the Scheduled Castes the Hindus will never be fair to them. It is a sheer delusion to leave to the discretion of such officers the question of the recruitment of the Scheduled Castes and to hope that the Scheduled Castes will as a result of it secure a fair share of representation.

20. The question of entry into the Public Service is an important question for all minority communities. But to the Scheduled Castes it is a vital question, a question of life and death. There are many reasons why this must be so. In the first place, it is a question of opening up a career for youngmen from the Scheduled Castes. This is an aspect of the question which the Scheduled Castes, and even the Government of India, cannot ignore. Trade and Industry, as openings for a career, are all blocked to youngmen of the Scheduled Castes. It is only in Government service that they can find a career. While this is an important aspect, it is not the only aspect which makes this question so vital. For there is another aspect which is calculated to invest it with such importance. That aspect relates to the effect which the bestowal of Government patronage has in encouraging the spread of education in a community. The case of the Hindu community is quite in point. The rapid progress which the Hindu community has made is of course very striking. But it is very seldom realized that the reason why education has taken such deep root in the Hindu society is entirely due to the assurance that education opens up a career by entry in Government service. Such assurance of career is absolutely necessary

in the case of the Scheduled Castes who are so backward in education. There is a third argument far more weighty that the two which have been referred to above. It relates to the interest of the general population of the Scheduled Caste people as distinguished from the interests of the educated classes from the Scheduled Castes. This will be clear if it is realised how important public administration is from the point of view of public welfare. In the first place, power of administration now-a-days includes the power to legislate. No Statute in modern days is complete and exhaustive. Most allow the administration the statutory power to make rules to carry into effect the purposes of the Act. Secondly, whether the law is beneficial or not depends upon how efficaciously and how justly it is carried out. Good administration is therefore far more important than good laws. Good laws may prove of no avail if the administration is bad. Administration is therefore a vital question for the Scheduled Castes who are more interested in good administration than in good laws. Is the present administration good administration ? What do the Scheduled Castes think of the present day administration? There can be no doubt that the view universally held is that the whole administration is hostile, unjust, and perverse in its attitude towards the Scheduled Castes all over India. Indeed much of the suffering and harassment of the Scheduled Caste population arises from the fact that the discretion vested in public servants is in almost all cases exercised against the interests of the Scheduled Castes and with the object of keeping them down. This is as it must be given the mentality of the Hindu and Muslim officers, towards the Scheduled Castes. This will continue to be so as long as the personnel of the administration is drawn from classes who have been opposed to the Scheduled Castes and who believe in their suppression. There cannot be a more powerful argument than that of the advantage and welfare of the general population of the Scheduled Castes to show that the entry of the Scheduled Castes in the Public Service must be regarded as a most vital consideration.

21. Certain facts are beyond doubt. The source of mischief is evident. How vital is the service interest of the Scheduled Castes is also clear. How serious is the mischief done to this vital interest by the discrimination which Government has in its resolution of 4th July, 1934 made against the Scheduled Castes as compared with the other

communities nobody can dispute. How disastrous have been the consequences to the Scheduled Castes will be apparent from the figures given in the following table relating to the communal composition to the I.C.S. :—

TABLE III

**Communal Proportion in the I.C.S. in 1942**

| | Community | | Total | Percentage of Total of 1056 including Europeans | Percentage of Total of 568 excluding Europeans |
|---|---|---|---|---|---|
| 1. | Europeans | ... | 488 | 42.4 | ..... |
| 2. | Hindus | ... | 363 | 34.4 | 63.2 |
| 3. | Muslims | ... | 109 | 10.3 | 19.2 |
| 4. | Indian Christians | ... | 23 | 2.2 | 4.0 |
| 5. | Anglo-Indians | ... | 9 | .9 | 1.5 |
| 6. | Parsis | ... | 9 | .9 | 1.5 |
| 7. | Sikhs | ... | 11 | 1.0 | 2.0 |
| 8. | Scheduled Castes | ... | 1 | Nil | Nil |
| 9. | Others | ... | 43 | 3.9 | 8.0 |
| | | Total ... | 1,056 | | |

TABLE IV

**I.C.S. through Competition and Nomination**

| | Community | | Through Competition | Through Nomination | Total |
|---|---|---|---|---|---|
| 1. | Europeans | ... | 336 | 152 | 488 |
| 2. | Hindus | ... | 332 | 31 | 363 |
| 3. | Muslims | ... | 35 | 74 | 109 |
| 4. | Indian Christians | ... | 19 | 4 | 23 |
| 5. | Anglo Indians | ... | 8 | 1 | 9 |
| 6. | Parsis | ... | 8 | 1 | 9 |
| 7. | Sikhs | ... | 5 | 6 | 11 |
| 8. | Scheduled Castes | ... | ..... | 1 | 1 |
| 9. | Others | ... | 28 | 15 | 43 |
| | | Total ... | 771 | 285 | 1,056 |

TABLE V

**Population Ratio as Compared with Ratio in the I.C.S.**

| Community | Actual Ratio in the I.C.S. excluding Europeans | Population Ratio | Excess + Defficiency — of Service Ratio as compared with Population Ratio |
|---|---|---|---|
| 1. Hindus ... | 63.2 | 50.0 | + 13.2 |
| 2. Muslims ... | 19.2 | 23.6 | — 4.4 |
| 3. Indian Christians ... | 4.0 | 1.0 | + 3.0 |
| 4. Anglo-Indians ... | 1.5 | .03 | + 1.47 |
| 5. Parsis ... | 1.5 | 0.3 | + 1.47 |
| 6. Sikhs ... | 2.0 | 1.3 | + 0.7 |
| 7. Scheduled Castes ... | ..... | 13.5 | –13.5 |
| 8. Others ... | 8.0 | ..... | ..... |

22. From these tables the following conclusions stand out as incontrovertible facts:—

(1) All communities have made a fair degree of progress towards getting their apportioned share of representation in the I.C.S. The only exception is the unfortunate community of the Scheduled Castes who have made no progress at all.

(2) Some communities have secured a degree of representation in the I.C.S. much in excess of their population ratio. This is noticeable in the case of the Hindus. Excluding the share of the Europeans which is 50% and which must be excluded for comparing the relative position of the Indians the Hindus have got 63% of the I.C.S. appointments when the ratio of their population to the total population is only 50%. They are enjoying an excess of 13%.

(3) Nomination was intended only to correct the inequities of competition. Yet some communities have been given the benefit of nomination although it has been able to secure a very large of the I.C.S. appointments by competition and who do not need and cannot claim the benefit of nomination. This is undoubtedly the case with the Hindus. Between 1920-1942 the Hindus were able to secure 332 out of 435 that were filled by Indians by competition, and yet

they were given 31 seats by nomination. The Muslims got only 35 appointments to the I.C.S. by competition between 1920-1942. But they were given 74 by nomination. The Sikhs have got only 5 by competition. But they got 6 by nomination. The Scheduled Castes who got none by competition get only one by nomination. All this shows how the position of the Scheduled Castes has remained deplorable and how Government which is striving to be considerate to other communities by not even trying to be correct towards the Scheduled Castes, is responsible for this result.

23. The condition of the Scheduled Castes is not only deplorable, but it is also intolerable. This is the result of the present policy of the Government of India under which the quantum of recruitment of the Scheduled Castes in the Public Services instead of fixed by rule as is done in the case of the other minorities is left to the discretion of the appointing authorities. The appointing authorities are mostly caste Hindus and it is not possible to expect them to give the benefit of this discretion to the Scheduled Castes. I have no doubt that the interests of the Scheduled Castes will continue to be neglected and sacrificed to serve the interests of other communities so long as the present system continues. The Government of India should without further delay equalize the position of the Scheduled Castes and—

(1) declare that they are a minority for the purpose of services like the other communities.

(2) fix 13½% as the proportion of annual vacancies in the I.C.S. and both in the Central Services that are recruited on an all India basis and that are recruited locally as the share to which they are entitled and which in equity and justice should be reserved for them. Unless this is done the Scheduled Castes will never get their due share in Public Services.

24. The difficulty lies in the Scheduled Castes not being declared a minority. It is essential that this obstacle in their way be removed. The reason is that under the resolution of 4th July 1934 it is only when a community is declared to be a minority that it becomes entitled to the benefit of reservation in the Public Services. A community as such does not get any such benefit. It is difficult to see what objection there can be to a declaration that the Scheduled Castes are a minority. The term minority is a political term and whatever may be its *de jure*

definition its de facto definition can never be in doubt. The matter is settled by the terms of Communal Award so that any community which is covered by the Communal Award of His Majesty's Government must be held to be a minority. Indeed that is the basis on which the Government of India could declare that the Muslims, Sikhs, Indian Christians, and Anglo-Indians are minorities. If these communities are minorities and they are minorities because they are covered by the Communal Award—then it is difficult to see how the claim of the Scheduled Castes to be declared a Minority be denied. For they too are covered by the same Award. Secondly, if Government is bound to declare them a minority then it follows as a natural consequence that Government is bound to define their share in the services and make it available by the same means and methods by which the share of other communities has been secured to them. Nor can anybody oppose the quantum of share to which they are entitled as the legitimate share of the Scheduled Castes. It has been shown that their population in British India is 13.6% and nothing more than a share of 13.6% in the services is claimed for them. This cannot injure the Hindus, for their population is 50% and they are geting 63% which is 13% more than is their due.

25. The opposition to this claim of the Scheduled Castes comes from very strange and unexpected quarters. It should come from the Hindus. But it cannot. The mutual rights of the Scheduled Castes and the Hindus are defined by the Poona Pact which was made in 1932. It is an agreement by which the Hindus have accepted that the Scheduled Castes are a minority and that they are entitled to adequate share in the Public services of the Country. It is true that the term 'adequate' was not given a quantitative expression. That is because it was done in a hurry to save Mr. Gandhi from the hands of death. But there can be no doubt that 'adequate' was never intended to be anything less than the population ratio. The Hindus therefore cannot oppose the claim of the Scheduled Castes and, as a matter of fact, they do not. The party opposing the claim of the Scheduled Castes is the Government of India and nobody else. In the debate on the question that took place in the Central Legislative Assembly on March 1942 on a cut motion by Rao Bahadur N. Sivaraj, M.L.A. the claim of the Scheduled Castes for being declared a minority and for defining

their share in services which was the subject matter of the Motion was supported by the Muslims, by the Europeans, Anglo-Indians and Sikhs. Except for one solitary individual, the Hindus did not oppose it. It was, however, opposed by the spokesmen of the Government of India. This is the most tragic part of the story. The Government of India have said that they were trustees for the welfare of the Scheduled Castes. As trustees, they should be more ready to safeguard the rights of the Scheduled Castes than to safeguard the rights of the other minorities. There would have been some excuse for the Government of India hesitating to allot to the Scheduled Castes their rights in the matter of recruitment to the Public Services if there was any obstacle placed in their way by the Hindus. But there is no such excuse. Would it be wrong if it was said that the enemies of the Scheduled Castes are not the Hindus and that their real enemy is the Government of India ?

26. What is the reason which the Government of India gives for opposing the claim of the Scheduled Castes ? So far as the speech of the Hon'ble the Home Member made on the motion moved by the Hon'ble Rao Bahadur N. Sivaraj M.L.A., is an indication, the reason is that there are not enough educated men among the Scheduled Castes. It must be said that this is by no means a convincing reason. In the first place, this is the old reason given in 1934 in paragraph 3 of the Resolution. It takes no account of the progress that has been made during the last 8 years. In the second place, the statement was not true even for 1934. For 1942 it will be gross misstatement. As a matter of fact a census of college students of the Scheduled Castes was taken privately in about 1939-40, and the total number of graduates among the Scheduled Castes were found to number about 400 to 500. In the third place, this fact even if it were true cannot be a bar against declaring the Scheduled Castes a minority and against fixing their proportion. For if the Scheduled Castes candidates with minimum qualification fall short in any one year of the annual proportion of vacancies reserved for them no body will be hurt because the unused vacancies will go to the Hindus. The difficulty anticipated by the Home Member cannot be said to arise only in the case of the Scheduled Castes. The condition of other minorities is not free from giving rise to the same difficulty. In fact when the government issued the resolution in 1934 they felt that such a difficulty might arise in their case also. But this did not stop Government from declaring them to be minorities and fixing their

proportion. Government did declare them to be minorities and also fixed their proportion, and for the difficulty that duly qualified candidates may in any given year be less than the vacancies reserved, Government provided by paragraph 7(1)(iii) of the resolution that the residue of the vacancies will be available for the Muslims.

27. Surely the difficulties which can be overcome successfully in the case of the other minorities cannot be followed to stand in the way of the Scheduled Castes. If Government docs that, it will be guilty of unjustly-defeating the just claims of the Scheduled Castes. It will be accused of using grounds which are not reasons but which are only excuses for sustaining its opposition to the claims of the Scheduled Castes.

28. Besides the two remedies suggested, namely (1) declaring them a minority and (2) fixing their proportion in the annual vacancies, it will be necessary to sanction other remedies to the Scheduled Castes for securing to them their fair share in the services. They are :

(1) Raising the Age bar,

(2) Reduction in examination fees, and

(3) Appointment of a Scheduled Caste officer to see that the provisions made in the interests of the Scheduled Castes in this behalf are carried by all Departments concerned.

(1) *Raising the Age Bar*

29. Under the present rules for the I. C. S. and the Central Services the maximum age limit is 24. Generally this maximum age limit hits the Scheduled Castes very hard. For owing to their extreme poverty it is not possible for the Scheduled Caste boy to reach that level of education which will enable him to compete with students from higher and well-to-do classes within the age limit. The children of the former have to suffer many breaks in their educational career and have no facilities at home cither for tuition or even for study. The latter have all the facilities for rapid and continuous progress. Consequently the children of the Scheduled Castes by the time they reach the final stage of their education and are in a position to compete they become ineligible on account of age for recruitment in the Public Service. It is therefore, necessary to raise the age limit by at least 3 years. There is nothing very unreasonable in this demand and there will be nothing extraordinary if it was conceded by Government of India. In almost all Provincial Governments where a proportion in the services has been

reserved this concession has been made and the age limit for the Scheduled Castes has been fixed at a pitch higher than what is fixed for others. In some Provinces the difference is of 2 and in some provinces it is of 3 years. In granting this concession the Government of India will be following a well established principle.

(2) *Reduction in Examination Fees*

30. The I.C.S. Examination fee is Rs. 100/-, the Examination fee for the Indian Audit and Accounts Service is Rs. 82/8/-, and for other Ministerial services Examination (Assistant's Grade) the fee is Rs. 30/-. These fees are too heavy for the Scheduled Castes. They are really and truly a great handicap. Many a Scheduled Caste student after having spent time and energy in qualifying for an examination finds it difficult to appear at it because the fees for the examination are beyond the means of their parents. This handicap needs to be removed. It is urged that the Scheduled Caste candidates should not be charged more than one-fourth of the fees chargeable for these examinations.

(3) *Scheduled Caste Officer*

31. These two concessions if allowed will go a long way to assist the community of Scheduled Castes to compete on more equal terms with its competitors. But the assistance rendered by these steps will not be adequate. Something further must be done. That is, to appoint a Scheduled Caste Officer in the Government of India cither in the Home Department or Labour Department whose duty it will be to see that effect is given to the claims of the Scheduled Castes in the matter of their entry in the Public Services. It is understood that such officers were at one time appointed by the Government of India in order to see that the rules framed by Government in the matter of communal representation in services were strictly followed. But even if that be not the case the necessity and urgency of appointing a Scheduled Castes Officer for protecting the service claims of the Scheduled Castes is beyond question. There is a great danger of such rules being set at naught as a result of the prejudices prevailing against the Scheduled Castes unless there was an officer charged with the duty of dealing with such cases. The only remedy is to have an independent officer charged with the duty to see that the rules are carried out.

## IV. Absence of representation of the Federal Public Service Commission

32. There are four members who at present constitute the Federal Public Service Commission. Of these, two are Europeans, one is a Hindu and one is a Mohamedan. The Scheduled Castes have been left out in framing the composition of the Federal Public Service Commission. There is no ground why they should be denied representation on the Federal Public Service Commission. There are three main sections of the people in India. Of these the Scheduled Castes form the third main section. The population of this section is measured in millions. Their interest in the service question is quite as important as those of the other two main sections of the populations. The danger to their interests is no less real than to the interests of the other two sections. And the necessity of warding off that danger is much greater than it is in the case of the other two. Judged by any test it is difficult to justify the refusal to give representation to the Scheduled Castes from the Federal Public Service Commission. The Federal Public Service Commission has definitely been given communal character. There can be only two conceivable reasons for doing this. In the first place it may be because it is desirable to have representatives of large sections of the people on the Commission. The second reason one can conceive of for giving communal composition to the Commission is to set off the communal bias of one community by the communal bias of the other community. Whichever way one looks at it, the omission to give representation to the Scheduled Castes on the Federal Public Service Commission is sheer injustice. The Scheduled Castes cannot have any confidence in a Public Service Commission which is infected by the point of view of the Hindus and the Muslims who with all their quarrels can very easily unite to distribute the loaves and fishes among themselves and to keep out the Scheduled Castes from getting their due share. It is difficult to prove that the Commission has been unjust to the Scheduled Castes though the fact remains that not a single Scheduled Caste candidate has so far been certified by the Commission to be fit. For no Commission can be convicted of partiality. It is open to every Commission to take shelter under that most elusive term "unsuitable". That tern far from giving an explanation is intended to cover a multitude of sins. Justice requires that the Scheduled Castes should get representation on the Federal Public Service Commission which is their due.

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# PART II

## EDUCATIONAL GRIEVANCES

### V. Want of Assistance for Advanced Education

33. Looking at the growth of Advanced Education among the Scheduled Caste boys, the following conclusions are deducible :—

(1) That education in Arts and Law is progressing satisfactorily.

(2) That education in Science and Engineering has made no progress.

(3) That Advanced Education in foreign Universities is a very far cry.

34. This sad situation needs to be properly appreciated. As was said in discussing the question of the entry of the Scheduled Castes in the public services the welfare of the Scheduled Castes depends entirely upon a sympathetic public service and that the public service if it is to be sympathetic must be representative of the different elements in the national life of the country, and particularly of the Scheduled Castes. To this it must be added that the representation of the Scheduled Castes if it is confined to ministerial posts will be of no consequence no matter how numerous are the posts they are permitted to occupy. This may be good from the standpoint of providing a career for educated young men. It cannot affect the condition of the Scheduled Castes. The status and condition of the Scheduled Castes will be improved only when the representatives of the Scheduled Castes come to occupy executive posts as distinguished from ministerial posts. Executive posts are strategic posts, posts from which a new direction can be given to the affairs of the State. The attainment of executive post it is obvious requires a high degree of education. Such posts will not be open except to those who have acquired advanced education.

35. Education in Arts and Law cannot be of much value to the Scheduled Castes either to the graduates themselves or to the people. It has not been of very high value even to Hindus. What will help the Scheduled Castes is education of an advanced type in Science and

Technology. But it is obvious that education in Science and Technology is beyond the means of the Scheduled Castes and this is why so many of them send their children to take up courses in Arts and Law. Without Government assistance, the field of Advanced Education in Science and Technology will never become open to the Scheduled Castes, and it is only just and proper that the Central Government should come forward to aid them in this connection.

36. This problem will be solved if the following proposals are accepted by the Government of India :—

(1) An annual grant of Rs. 2 lakhs for scholarships for Scheduled Caste students taking science and Technology courses tenable at the Universities or other Scientific and Technical Training Institutions in India.

(2) An annual grant of one lakh of rupees to be spent on scholarships for the education of Scheduled Caste students for Science and Technology in foreign Universities in England, the Dominions, in Europe and in America.

37. There is nothing to prevent the Government of India from undertaking this responsibility. Education it is true is not a Central subject for legislative purposes. Still, section 150 (2) of the Government of India Act says that the Central Government may make grants for any purpose, notwithstanding that the purpose is not one with respect to which the Central Legislature may make laws. This power has been used by the Government of India to support Educational Institutions. Below is given a list of Educational Institutions outside the centrally Administered Areas, which receive grants-in-aid from the central revenues.

| | Amount per annum |
|---|---|
| **I. Educational Institutions** | |
| 1. Indian Women's University, Bombay | Two non-recurring grants of Rs. 50,000 were made to this Institution in 1937-38 and 1941-42. |
| | Rs. |
| 2. Visva-Bharati, Santinikctan | 25,000 |
| 3. Inter-University Board, India | 1,000 |
| 4. Inter-Provincial Board for Anglo-Indian and European Education | 3,600 |

| | | Rs. |
|---|---|---|
| **II. Scientific Societies** | | |
| 1. | Indian Association for the Cultivation of Science, Calcutta. | 18,000 |
| 2. | Royal Asiatic Society of Bengal, Calcutta | 2,500 |
| 3. | Indian Statistical Institute, Calcutta | 37,000 |
| 4. | National Institute of Science of India, Calcutta | 6,000 |
| 5. | Vishvesharanand Vedic Research Institute, Simla | 2,500 |
| 6. | Indian Institute of Science, Bangalore | 1,50,000 |
| 7. | Bhandarkar Oriental Research Institute, Poona | 4,000 |
| 8. | Bose Research Institute, Calcutta | 45,000 |
| **III. Miscellaneous** | | |
| 1. | Indian Olympic Association | 2,000 |
| 2. | Girl Guides Association, India | 2,500 |
| | Total of annual Recurring Grants ... | 2,99,100 |

38. This docs not include the annual subvention which the Government of India gives of Rs. 3 lakhs per annum to the Muslim University of Aligarh and of Rs. 3 lakhs per annum to the Hindu University of Benares. The claim made on behalf of the Scheduled Castes for help in the matter of advanced education at home and abroad receives great support from the financial aid given by Central Government to these two Universities. The grant made to the Universities is really grant made to the Hindu and Muslim communities for supporting higher education. That being so, there is no reason why the Central Government should not undertake to make a similar grant of 3 lakhs of rupees annually to promote higher education among the Scheduled Castes. If the Government are interested in raising the status of the Scheduled Castes, which they have often proclaimed to be their duty, it is high time that a similar provision was made for them in the education budget of the Central Government.

39. The scheme if it is given effect to will revolutionize the condition and status of the Scheduled Castes. The Scheduled Castes lay great store by it. They would even be prepared for the scheme being made a loan system rather than a system of grants. The Scheduled Caste boys who receive these scholarships shall be glad to take

advantage of it even if they are required to refund the sums received by them when they are employed or they may be made to serve the Government for a term under a lower scale of salary. There can be no objection to Government accepting these proposals.

40. For the purpose of assisting Advanced Scientific and Technical Education among the Scheduled Caste students I am making two other proposals. One is to make :

(3) *Provision for Scheduled Caste students in the School of Mines.*

The Government of India has under its control the Indian School of Mines which is located at Dhanbad. The school provides high grade instructions in Mine Engineering and in Geology. The training given in the Indian School of Mines is calculated to train men who can serve in the coal mining industry and other mineral industries in India. The number of students that are at present taking instructions in the Indian School of Mines are about 97. The school is open to students from all parts of India. From enquiries made it is established that out of the 97 students there is not a single one from the Scheduled Castes. It is very necessary that some special measures should be taken by the Government of India to sec that the students belonging to the Scheduled castes are in a position to take advantage of the Indian School of Mines. To achieve this object it will be necessary :

(a) To reserve a certain number of seats for the Scheduled Caste boys having the minimum standard of education required for admission.

(b) The grant of free-ships.

(c) The grant of scholarships.

It will not be too much to claim that one-tenth of the total number of admissions should be reserved for the Scheduled Castes. This is a matter which falls within the scope of the Labour Department. But it is a question which concerns also the Finance Department in as much as the free-ships and scholarships would mean the loss of revenue to the State. But the loss on acccount of these measures will not be very great. The annual fee on an average which a student has to incur in the School of Mines be about 60 rupees a month which would mean a monthly expense of Rs. 60 per student.

41. The other proposal which I wish to make is to give:—

(4) *Representation to the Scheduled Castes on the Central Advisory Board of Education.*

42. The constitution of the Board consists of—

(1) The Honourable Member in charge of the Department of Education, Health and Lands (Chairman);

(2) The Educational Commissioner with the Government of India;

(3) Ten nominees of the Government of India, of whom one at least shall be a woman;

(4) One member of the Council of State elected by the Council of State;

(5) Two members of the Legislative Assembly elected by the Legislative Assembly.

(6) Three members of the Inter-University Board, India, nominated by the Inter-University Board of India.

(7) A representative of each local Government, who shall be either the Minister in charge of Education (or his deputy) or the Director of Public Instruction (or his deputy) or such other person as the Provincial Government may nominate in this behalf.

43. The functions of the Board are :—

(*a*) To advise on any educational question which may be referred to it by the Government of India or by local Government.

(*b*) To call for information and advice regarding educational developments of special interest and value to India; to examine this information and to circulate it with recommendations to the Government of India and to local Governments.

44. From the functions of the Board it is quite clear that the board can study the educational problem of the Scheduled Castes as that of special interest and frame recommendations and advice Central and Provincial Governments in that connection. Such a thing can be of immense importance in focussing the attention of the Governments and the Universities on the spread of higher education among the Scheduled Castes.

45. It is, however, necessary in the first place to get the Board interested in the educational problem of special classes like the Scheduled Castes. This can be done only by giving representation to members of the Scheduled Castes on the Board. It is therefore suggested that two representatives of the Scheduled Castes should be nominated on the board.

## VI. Want of Facilities for Technical Training Technical Education

46. From the point of raising the economic condition, technical education for the Scheduled Castes is more important than literary education. But technical education is also very costly and it is not possible for children of the Scheduled Castes to take technical education, and without technical education their economic condition will not be improved. Owing to the social system of the Hindus, the Scheduled Castes occupy economically a very low place in the Indian economy. In times of prosperity he is last to be employed, and in times of depression he is first to be discharged. This, of course, is a result of the social prejudices of the Hindus which operate against him. But there is also the other difficulty which stands in his way and that is he is generally an unskilled labourer with no technical knowledge.

47. It seems to me that the Government of India can do a great deal to improve his lot by enabling him to acquire technical skill which he does not now possess and this can be easily done by introducing a system of apprenticeship for the Scheduled Caste boys in undertakings run or controlled by the Government of India, in which the possibilities of giving such technical training do exist.

I am referring only to two :—

(1) *Apprenticeships in Government Printing Presses :*

There are a number of Printing Presses which are maintained by the Government of India. There are so many skilled occupations which are open to persons trained in a printing press—compositors, printers, binders, etc. There is no reason why the Government of India should not have a scheme whereby suitable boys from the Scheduled Castes should be taken as apprentices to learn the various occupations which are related to the printing trade.

(2) *Aprenticeships in Railway Workshops :*

The Railways in India, most of which are owned by the Government of India, also maintain workshops where fitters, carpenters and other technicians are employed, and I do not know whether the Railway Department have schemes of taking apprentices to be trained as technicians to be subsequently employed on the Railways. But even if such a scheme was not in existence it is necessary to have one for the benefit of the Scheduled Castes.

48. I therefore suggest the scheme of apprenticeship whereby annually a good number of boys from the Scheduled Castes should be given training in the printing press and the Railway Workshops. The cost of it cannot be very great.

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# PART III

## OTHER GRIEVANCES

### VII. Neglect in the Matter of Publicity

47. It is quite well known that the Government of India engages itself very largely in giving publicity to the saying and doings of different individuals and parties who represent the main forces operating in India. As an illustration of this I would refer to the Volume called "India and the Aggressor" (The Trend of Indian Opinion Between 1935-40) issued by the Bureau of Public Information of the Government of India. The name of the Volume is very misleading. It has nothing to do with the Aggressor. It is a collection of sayings and doings of the Political Parties and Politicians in the country and presents a full resume of the views of the majority and minority in India.

48. Now the most annoying part of this volume is the complete neglect of the sayings and doings of the Scheduled Castes. Out of the 940 pages, 158 pages are given to the Congress, 85 pages are allotted to the Muslims. The Hindu Mahasabha and the Hindu League are given about 10 pages. The Liberal Federation has received 16 pages. The Sikhs are spread over 6 pages, Indian Christians over 2 pages and the Scheduled Castes are disposed of in about 3 pages and what is surprising is that in these 3 pages devoted to the Scheduled Castes the material which is included is of a trifling character. It omits altogether to take notice of some of the most important events that have taken place during this period and important pronouncements made by leading individuals from the Scheduled Castes. I may mention only one such event viz., the movement for conversion. Beyond question it was a movement which shook the Hindu Society to its very foundations and attracted the notice of the whole world. To emphasize the trumpery sort of publicity given to the Scheduled Castes in this

volume it is enough to say that the St. Mary's College, Kurseong, once undertook to give publicity to the cause of the Scheduled Castes and has as a result published material covering the same period and which fills a Volume of 507 pages. So vast have been the forces and movements affecting and emanating from the Scheduled Castes during this period of 1935—40. As to myself, I must have made many pronouncements touching the Scheduled Castes. Not one of them however finds a place in this Volume.

49. It is true that this Volume is intended for official use only. But in my opinion this fact does not alter the great value which the compilation must necessarily have. It goes without saying that it is the mind of the Official which is, to a large degree, responsible for determining the direction which the affairs of the State will take. It also determines the value which he ought to give to issues in which communal interests are involved. It also goes without saying that the attitude and the mind of the Official is bound to be determined by the kind of material which is presented to him and on which he feeds in a Volume like this. Further, the degree of publicity given to a cause by Government in a Government publication may be treated by him as the value which government attaches to it and as a direction for him for evaluating the needs and claims of different communities. Looked at from this point of view this Volume is sure to give to the Officers working in the Central Secretariat as well as in the Provincial Governments and even to the Secretary of State the impression that the Government of India regards the Scheduled Castes as a negligible force not worth bothering about. That this is the effect which this volume has produced is evident from the speech delivered in Parliament by the Secretary of State where the references to the Muslims are emphatic and positive while the references to the Scheduled Castes are just of a parenthetical character. It is a grievous wrong done to the Scheduled Castes whose cause has received a setback at a most critical period in their struggle by reason of this unbalanced presentation of their case on the part of Government. I would press that the Bureau of Public Information be asked to prepare a supplement to the Volume which it has issued giving full space to movements carried on by the Scheduled Castes and the pronouncements their leaders have made.

50. Of course, Government may say that it is not bound to do publicity work for parties and communities, and that the parties and communities may do their own publicity. But that is not the case here. The Government of India, as I have shown, docs engage itself very much in this work of publicity. And when a Government does it, it is bound to treat all parties on equal footing in the matter of publicity and give a true and correct picture of the movements and forces operating in the country.

## VIII. Closed-door in Government Contracts

51. A Good part of Government needs in Public Works is carried out not departmentally but by contracts. This is so in normal times. In war times the work done for Government by the contract system has expanded several hundred fold. I can speak only of the Central Public Works Department. The list of approved contractors maintained, by the Central Public Works Department is 1,171. Of these, I am told, there is only one contractor belonging to the Scheduled Castes. The rest of them are Hindus, Sikhs and Muslims. It should be possible for Government to arrange things in such a manner as to make its contract system allow an open door to members of all communities to profit by it. There are many persons of the Scheduled Castes who could be trusted to carry out a Government contract. Already many members of the scheduled castes are working as employees of Hindus, Muslim or Sikh contractors. The result is that the Hindu, Muslim or Sikh contractors are taking profit while the Scheduled Caste men are working on a mere wage.

52. There is not much difficulty in getting a certain number of men from the Scheduled Castes put on the list of approved contractors. But what is important is to enable them to get a contract. There are two rules in the matter of Government contracts :—

(1) That a contract is to be given generally to a contractor whose tender is the lowest;

(2) That Government is not bound to accept the lowest tender.

53. It is therefore, a mattter of discretion which is exercised by the Officer in charge whether a contract will go to a particular contractor

or not. This discretion is not likely to be exercised in favour of a Scheduled Caste contractor. His tender may be the lowest but owing to communal prejudice he may not accept it and rely on the second rule " that he is not bound to accept the lowest". If his tender is higher than the lowest, he will not accept it although he is free to do so. He will rely on the first of the two rules. Either way he will have his justification for rejecting the tender of the Scheduled Caste contractors.

54. There is of course, no remedy against communal bais. The only thing that strikes me that we can do is to amend the rule by saying that a tender of a Scheduled Caste contractor, if it is not higher than the lowest by 5 per cent, shall be deemed to be the lowest. This, of course, involves financial loss and the Finance Department will have to agree to it. I cannot give any idea of the approximate cost of such a concession. I am sure it will not be heavy as to break the camel's back.

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# PART IV

## DUTY OF GOVERNMENT TOWARDS DISTRESSED PEOPLE

Some of the proposals submitted in this Memorandum on behalf of the Scheduled Castes, particularly those which are put forth to remove political grievances, do not involve any financial burden on the public treasury. They are really not proposals so much as political demands which, by reason of their logic and their justice, Government must grant. The difficulty arises only with regard to the acceptance of those proposals which involve a financial burden upon the revenues of the Central Government. Financial burden there is. But, it will not do to reject them merely on that account. For there can be no doubt that Government has a duty towards the Scheduled Castes, and if they accept their duty in this behalf they are bound to discharge it even if it involves a certain amount of financial burden on the public purse.

56. The policy of the British Government towards the Scheduled Castes has been one of complete and continuous neglect. It began from the very beginning when the British Government realized that its duty was not merely to maintain law and order, and extended to giving the people education and looking after their welfare. This will be clear from the following quotations from *the report of the Board of Education of the Bombay Presidency for the year 1850-51* :—

### Inquiry as to Upper Classes of India

> "*Paragraph 16. It being then demonstrated that only a small section of the population can be brought under the influence of Government education in India, and the Honourable Court having in effect decided that this section should consist of the 'upper classes', it is essential to ascertain who these latter consist of.*

### Upper Classes in India

> "*Paragraph 17. The classes who may be deemed to be influential and in so far the upper classes in India, may be ranked as follows* :—
>
> *1st.—The landowners and jagirdars, representative of the former*

*feudatories and persons in authorities under Native powers and who may be termed the Soldier class.*

*2nd.—Those who have acquired wealth in trade or commerce or the commercial class.*

*3rd.—The higher employees of Government.*

*4th.—Brahmins with whom may be associated, though at long interval, those of higher castes of writers who live by the pen and as Parbhus and Seenvies in Bombay, Kayasthas in Bengal, provided they acquire a position either in learning or station.*

## Brahmins The Most Influential

*"Paragraph 18. Of these four classes incomparably the most influential, the most numerous and on the whole easiest to be worked on by the Government, are the latter. It is a well recognised fact throughout India that the ancient Jagirdars or soldier class are daily deteriorating under our rule.*

** * * nor among the commercial classes, with a few exceptions, is their much greater opening for the influences of superior education..*

** * * Lastly the employees of the State, though they possess a great influence over the large numbers who come in contact with Government, have no influence, whatever, with the still larger numbers who are independent of Government ;*

## Poverty of Brahmins

**Paragraph 19. The above analysis, though it may appear lengthy is nevertheless, indispensable, for certain important conclusions deducible from it. First, it demonstrates that the influential class whom the Government are able to avail themselves of in diffusing the seeds of education are the Brahmins and other high castes Brahmanis proximi.*

## Question as to Educating Low Castes

*"Paragraph 21. The practical conclusion to be drawn from these facts which years of experience have forced upon our notice, is that a very wide door should be opened to the children of the poor higher castes, who are willing to receive education at our hands. But here, again, another embarrassing question arises, which it is right to notice. If the children of the poor are admitted freely to Government*

*Institutions what is there to prevent all the despised castes—the Dheds,, Mahars, etc., from flocking in numbers to their walls ?*

## Social Prejudices of the Hindus

*"Paragraph 22. There is little doubt that if a class of these latter were to be formed in Bombay they might be trained, under the guiding influence of such Professors and masters as are in the service of the Board, into men of superior intelligence to any in the community : and with such qualifications, as they would then possess, there would be nothing to prevent their aspiring to the highest offices open to Native talent—to Judgeships, the Grand Jury, Her Majesty's Commission of the Peace. Many benevolent men think it is the height of illiberality and weakness in the British Government to succumb to the prejudices which such appointments would excite into disgust amongst the Hindu community, and that an open attack should be made upon the barriers of caste.*

## Wise Observations of the Honourable Mount Stuart Elphinstone Cited

*"Paragraph 23. But herewith wise reflections of Mr. Elephinstone, the most liberal and large minded administrator who has appeared this side of India, point out the true rule of action. 'It is observed,' he says, 'that the missionaries find the lowest caste the best pupils; but we must be careful how we offer any special encouragement to men of that description ; they are not only the most despised, but among the least numerous of the great divisions of society and it is to be feared that if our system of education first took root among them, it would never spread further, and we might find ourselves at the head of a new class, superior to the rest in useful knowledge, but hated and despised by the castes to whom these new attainments would always induce us to prefer them. Such a state of things would be desirable, if we were contented to rest our power on our army or on the attachment of a part of the population but is inconsistent with every attempt to found it on a more extended basis!"*

* * *

57. Such is the antagonism towards the Schedule Castes with which began Government's policy of giving education to Indians. This policy

was firmly applied. There is a case on record of a Mahar (Untouchable) boy who in 1856 petitioned to the Government of India for being admitted to a Government school in the Dharwar District. The following is the text of the resolution issued by the Government.

> "*The question discussed in the correspondence is one of very great practical difficulty.*
>
> "*1. There can be no doubt that the Mahar petitoner has abstract justice in his side ; and Government trust that the prejudices which at present prevent him from availing himself of existing means of education in Dharwar may be ere long removed.*
>
> "*2. But Government are obliged to keep in mind that to interfere prejudices of ages a summary manner, for the sake of one or few individuals, would probably do a great damage to the cause of education. The disadvantage under which the petitoner labours is not one which has originated with this Government, and it is one which Government cannot summarily remove by interferring in his favour as he begs them to do."*

58. In 1882 Government of India appointed the Hunter Commission to examine the Educational Policy. This Commission made a number of important proposals to spread education among Muslims. With regard to the Untouchables it did nothing. All that it did was to express an opinion that "Government should accept the principle that nobody be refused admission to Government College or School merely on the ground of caste," but qualified it by saying that the principle should "be applied with due caution!".

59. This antagonism when it passed away, its place was taken up by negligence and indifference. This negligence and indifference made its appearance not merely in the field of education. It also made its appearance in other fields, particularly in the Army. The whole Army of the East India Company consisted of the Depressed Classes. Indeed but for the Depressed Classes Army the British would never have been able to conquer India. The Untouchables continued to fill the Army till 1892. In 1892 their recruitment in the army was stopped all of a sudden and they were thrown in the street in utter distress with no education and no means to pursue other ways of honourable living.

60. Who can raise the Scheduled Castes from the distress in which they are now grovelling ? It is certain they cannot do it by their own

effort. Their resources are too scanty to afford them the means to raise themselves. They cannot depend upon the charity of the Hindus. The charity of the Hindus is beyond question communal in its scope and its benefits are confined to those who belong to the community of the donor. The Hindu donors are either business-men or high State officials. The tragedy is that they make their money out of the general public. But when it comes to a question of doing charity they forget the public and remember their own caste and their community. The Scheduled Castes have neither of these sources available to them and they are rigorously excluded from the charity founded by both. The only source therefore on which they can rely is financial aid from Government. I venture to say that it is the duty of the Central Government to come to the rescue of people who are in distress by no fault of theirs as is the case with the Scheduled Castes. The Central Government is bound to take steps to assist the Scheduled Castes to concede their just claims and to compete on more equal terms with their competitors. There is nothing extra-ordinary in asking the Central Government to pay special attention to improve the condition of the Scheduled Castes. Let those who may think so consider the measures the Government of India has adopted for securing the welfare of the Anglo-Indian community. I will mention only a few of them.

### (1) Higher Salaries

There was a time when the Anglo-Indian received a higher salary than the Indian. The extent of difference in the salary of the Anglo-Indian and the Indian will be obvious from the following table which gives figures for salaries on three Railways for a few posts selected at random for the sake of illustration—

| Designation | Anglo-Indians | Indians |
|---|---|---|
| **North Western Railway** | | |
| Permanent Way-Inspector | 625-25-675 | 475-25-500 |
| | 550-25-600 | 400-25-450 |
| Drivers | 260-10-280 | Re. 1 to Rs. 1 / 14/ a day<br>Special rate Rs. 2 a day. |
| **E. I. Railway** | | |
| Train Examiners | 300-25-400 | 120-15-180 |
| | 200-20-280 | |
| G.P.I. Railway | | |
| Head Train Examiners | 275 | 125-275 |
| | 315 | |
| | 365 | |
| Washing Chargemen | 145 | 115 |

This difference in salary continued upto 1920. Thereafter it was abolished. One difference still remains and that is the Anglo-Indian gets a basic pay of Rs. 55 per month. He gets this even if he is employed as a peon in a State Railway, while an Indian chaprasi gets only Rs. 13-15. The cost of this favoured treatment to the Anglo-Indians which the Indian Exchequer has to bear annually is Rs. 10,000 in the Posts and Telegraph Department, Rs. 75,000 to the State Managed Railways and Rs. 75,000 to Company Managed Railways, in all Rs. 1,50,000.

(2) The reduction in the pass marks for the examination in the telegraph Department from 50 per cent to 40 per cent in each subject and from 66 per cent to 60 per cent in the aggregate especially made to enable Anglo-Indians to compete successfully.

61. There are many other recommendations made by the Stewart Committee on the Anglo-Indians intended to give them special advantages over Indians. But I do not wish to burden this memorandum with them. I am only interested in showing the marked contrast between the treatment accorded to the Anglo-Indians and the Scheduled Castes. The care of the former and the neglect of the latter stand out in a marked contrast. What is it that can justify this contrast ? In my opinion nothing, and the sooner the Central Government proceeds to assist the Scheduled Castes the better the Government will rank as a Government based on justice. A Government which cheerfully bears the cost of Rs. 1,50,000 annually for the uplift of the Anglo-Indians, can, if it has the will, spend a few lakhs on the Scheduled Castes.

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# SECTION II

## IMPORTANT CORRESPONDENCE RELATING TO TRANSFER OF POWER

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# 1

## *Note by Sir S. Cripps

*L/P & J/10/4 :ff 51-2*

INTERVIEW WITH DR. AMBEDKAR AND MR. RAJAH, REPRESENTING THE DEPRESSED CLASSES

*30th March 1942*

After telling me about the conditions of the Depressed Classes, particularly in Madras and Bombay, they then went on to point out that under the system of election they would have a very small representation only in the constituent assembly, as most of their so-called representatives would be Congressmen, and that their position would therefore be very weak. They summed up the demands that they would make to the constituent assembly and then asked me whether we considered that they came within the racial and religious minorities, to which I answered yes, and what sort of provisions were likely to be made in the Treaty for their protection. I stated that these would probably be along the lines of the League of Nations minority treaties, and if already there were special provisions in the constitution these would probably be repeated in the Treaty, and there would be some obligation to refer the matter to some outside authority in cases of dispute, the Government of the Indian Union undertaking to abide by the decision so given, and that if they did not do so it would constitute a breach of Treaty, whereupon the British Government could take such steps as it considered wise in the particular circumstances. I stated that though this form of protection might no doubt seem to them inadequate, once granted the idea of self-government and self-determination for India, there was no other possible way by which we could intervene to protect any minority in India.

*The Transfer of Power, Nicholas Mansergh, Editor-in-Chief; published by His Majesty's Stationery Office, London, 1970; Vol. I, No. 442, pp. 552-53.

So far as the interim period was concerned, I pointed out that the probabilities were that some representative of the Depressed Classes would be asked to serve on the Executive Council at the Centre, and that one of the first tasks of that Council would no doubt be to make some temporary arrangements as regards the carrying on of the Provincial Governments.

Mr. Ambedkar expressed the view that they would demand to be treated as one of the major elements and to be taken into consultation by the Viceroy in the formation of the new Executive. I stated that this was not a matter for me; the Viceroy would exercise his own judgement as to whom he should consult in this matter.

Naturally they were not very happy about the whole situation, but I did not gather that they would oppose the scheme, since there was no other alternative under which they could get any greater measure of protection.

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# 2

## * Dr. Ambedkar and Mr. Rajah to Sir S. Cripps@

*Cmd. 6350*

*1 April 1942*

We told you when we met you on the 30th March† that the proposals of His Majesty's Government relating to Constitutional development of India will not be acceptable to the Depresed Classes for the reasons which we placed before you at the interview. Since then We have had consultations with many of the Depressed Classes' representatives in the various Provincial and Central Legislatures and all of them have unanimously endorsed the view we placed before you regarding the proposals.

We are all of us absolutely convinced that the proposals are calculated to do the greatest harm to the Depressed Classes and are sure to place them under an unmitigated system of Hindu rule. Any such result which takes us back to the black days of the ancient past will never be tolerated by us, and we are all determined to resist any such catastrophe befalling our people with all the means at our command.

We request you to convey to His Majesty's Government our deepest anxiety regarding the future of the Depressed Classes and to impress upon them that we must look upon it as breach of faith if His Mejesty's Government should decide to force upon the Depressed Classes a Constitution to which they have not given their free and voluntary

* The Transfer of Power, Vol I, No. 487, p. 603.

@ The text of this letter was transmitted by Lord Linlithgow to Mr. Amery in telegram 207-S.C.

of 18 April. MSS. EUR. F. 125/22.

†No. 442.

consent and which does not contain within itself all the provisions that are necessary for safeguarding their interests.

In the end we want to thank you for assuming us that you called us in our representative capacity and that His Majesty's Government did not regard the Depressed Classes as a minor party—points upon which some doubt had arisen in our mind and about which we asked you for a correct definition of our position.

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# 3

# * Sir R. Lumley (Bombay) to the Marquess of Linlithgow (Extract)

*MSS. EUR. F. 125/56*

CONFIDENTIAL

GOVT. HOUSE, BOMBAY, *24 April 1942*

**Report No. 104**

1. *Reactions to the result of Sir Stafford Cripps' Mission.* As is always the case here, it is not easy to assess precisely the public reactions to the breakdown of the negotiations conducted by Sir Stafford Cripps. I am glad to say, however, that I do not notice any deterioration or any bitterness, with the exception which I shall mention later. In fact, I am inclined to think that, as I hoped would be the case, the proposals, though they have failed, have produced a nett gain, particularly in those quarters which were formerly our most persistent opponents. From an informant whom I have usually found reliable, I learn that a very much better feeling exists amongst those who professed to have doubts about our ultimate intentions. The Draft Declaration has satisfied a great many of them on that point. I also hear that local informed Congress opinion was quite prepared to accept the provision of non-accession, and considered it to be the only method so far put forward, with any prospects of success, for obtaining Muslim agreement to discussions about a future constitution. This view is said to find a good deal of support amongst local Congress people, although it has not been declared openly, and all nationalist newspapers condemn the proposals mainly on the ground that they would vivisect India.

There have been no public declarations by Muslims here, but most Muslim newspapers appear to be well satisfied with the result of the

*The Transfer of Power, Vol. I, No. 684, pp. 846-47.

negotiations on the ground, first, that they have not been let down, as they feared, and secondly, that the negotiations cannot have failed to have opened the eyes of the British Government to the fact that it is Congress intransigence which is the real obstacle. Parsees, I am told, are generally relieved that, for a time at any rate, Congress will not regain power.

The exception to which I have referred is Ambedkar. He came to see me to discuss the establishment of the National War Front, and although he has, with no enthusiasm, agreed to give it some support, he took the opportunity to let off to me some very bitter steam about the Draft Declaration. He said that he had been as good as told that Congress and the Muslim League were the only bodies which counted, and that if they agreed to the proposals, it would not matter what he or the Depressed Classes thought about them. He professed to be bitterly disillusioned and to feel humiliated. He declared that the proposals went back on the August Declaration, and that, with the example of the Irish Treaty before him, the suggestion that minorities could be safeguarded by means of a treaty was a very poor joke. How, he asked, could he and his friends be expected to continue their support of Government if they were to be let down in this way ? He had thought of resigning from the National Defence Council but had decided to carry on for the time being, but he could not be expected to show any enthusiasm in support of Government. I reasoned with him as best I could, but I fear made little impression upon him. This mood of disgruntlement has been noticeable in Ambedkar for a long time— certainly since he was not taken in to the expansion of your Executive Council, as he had hoped. He will, I expect, succeed in obtaining some support for his views amongst his followers in this Province, for he is the only individual amongst them who is capable of thinking for them. Nevertheless, I feel pretty sure that this disgruntlement is largely a personal matter. As you know, his own financial position has been worrying him for some time. I have reason to believe that he owes money to certain people who have helped him in the past, and that he is unable to pay any of it back, and is even rather rude if they mention the subject. As you know, too, he has been, for some time, anxious to obtain a position in the High Court or elsewhere, in which he could have a chance of providing for his own future. He has given

me, for some time, the impression of a man who is no longer really interested in the work he is doing for his own followers, and is anxious to reach a different sphere. He is inclined, unfortunately, to attribute the difficulties of his own position to influences at work against him because he is a member of the Depressed Classes, and from that it is an easy step to the belief that we do not concern ourselves about him unduly because we do not think it worth-while to secure the support of the Depressed Classes. I would very much like to see something done for him, and I hope that, if a further expansion of your Council is now possible, he will be included,—not on personal grounds alone, but so that we may retain the interest of the Depressed Classes. He has been unhelpful about recruitment of Mahars, and does not put his weight behind it overmuch, in spite of the fact that he has long clamoured for Mahars being taken into combatant units. Nevertheless, the recruitment of Mahars continues, but not as well as it would do if he were really keen to help.

Apart from the bitterness displayed by Ambedkar, I think that the failure of Cripps' negotiations has left us in no worse position, and the nett result is probably some gain.

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# 4

# * Cripps Proposals

*Text of Constitutional Proposals*

MADE BY

**The Right Honourable Sir Stafford Cripps**

His Majesty's Government, having considered the anxieties expressed in this country and India, as to the fulfilment of promises made in regard to the future of India, have decided to lay down in precise and clear terms the steps which there-upon shall be taken for earliest possible realisation of Self-Government in India. The object is the creation of a new Indian Union which shall constitute a Dominion associated with the United Kingdom and other Dominions by common allegiance to the Crown but equal to them in every respect, in no way subordinate in any aspect of its domestic and external affairs.

His Majesty's Government therefore make the following declaration:—

(a) Immediately upon cessation of hostilities steps shall be taken to set up in India in the manner described hereafter an elected body charged with the task of framing new constitution for India.

(b) Provision shall be made as set out below for participation of Indian States in the constitution making body.

(c) His Majesty's Government undertake to accept and implement forthwith the constitution so framed subject only to :—

(1) Right of any province in British India that is not prepared to accept the new constitution to retain its present constitutional position, provision being made for its subsequent accession, if it so decides with such non-acceeding provinces. Should they so desire, His Majesty's Government will be prepared to agree upon

* Report of Depressed Class Conferences, Nagpur Session, held on July 18, 19 and 20, 1942, pp. 98-99.

the new constitution giving them the same full status as Indian Union and arrived at by procedure analogous to that here laid down.

(2) Signing of treaty which shall be negotiated between His Majesty's Government and the constitution-making body. This treaty will cover all necessary matters arising out of complete transfer of responsibility from British to Indian hands; it will make provision in acordance with the undertakings given by His Majesty's Government for protection of racial and religious minorities: But will not impose any restriction on power of Indian union to decide in future its relationship to other member states of British Comonwealth. Whether or not an Indian State elects to adhere to the constitution it will be necessary to negotiate revision of its treaty arrangements so far as they may be required in the new situation.

(d) Constitution making body shall be composed as follows unless leaders of Indian opinion in principal communities agree upon some other form before the end of hostilities. Immediately upon the result being known of provincial elections which will be necessary at the end of the hostilities, entire membership of lower houses of provincial legislatures shall as single electoral college proceed to the election of constitution making body by system of proportional representation. This new body shall be in number about one-tenth of the number of electoral colleges. Indian States shall be invited to appoint representatives in the same proportion to their total population as in the case of representatives of British India as a whole and with same powers as the British Indian members.

(e) During critical period which now faces India and until the new constitution can be framed, His Majesty's Government must inevitably bear responsibility for and retain control and direction of Defence of India as part of their world war effort, but the task to organise the full military, moral and material resources of India must be the responsibility of the Government of India with co-operation of peoples of India. His Majesty's Government desire

and invite immediate and effective participation of leaders of principal sections of Indian people in counsel of their country, of Commonwealth and of united nations. Thus they will be enabled to give their active and constructive help in discharge of the task which is vital and essential for the future freedom of India.

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# 5

# * Statement of Dr. Ambedkar on the Cripps Proposals

**Dr. B. R. Ambedkar :** M.L.A., Leader of the Depressed Classes in a Statement to the Press, said :—

"The War cabinet's proposals show a sudden *volte face* on the part of His Majesty's Government. The putting forth of these proposals, which were denounced by them as an invasion of minority rights, is an indication of their complete surrender of right to win might. This is Munich mentality, the essence of which is to save oneself by sacrificing others, and it is this mentality which is writ large on these proposals. It is reported that the American and English people are annoyed at Indians not welcoming the proposals, of His Majesty's Government relating to the constitutional advancement of India and thereby allowing the mission of Sir Stafford Cripps to fail. One can forgive the Americans for their attitude, but surely the English people and Sir Stafford Cripps ought to know better. It does not seem to have been sufficiently realised that the proposals of His Majesty's Government now put forth as the best are the very proposals which have been rejected and condemned by His Majesty's Government as the worst only a few months previously. Those who realise this cannot but help saying that this is the ugliest part of the whole business of constitutional advance, which His Majesty's Government is now rushing to undertake. The proposals fall into three parts :—

(1) There is to be a Constitutent Assembly with a right to frame the constitution for India. This Assembly is to have the fullest power to frame such constitution as the majority in the Assembly may choose to decide.

*Report of the Depressed Class Conferences, held on July 18, 19 and 20, 1942, Nagpur Session, pp. 100-06.

(2) The new constitution is not to include all the present Provinces of India but only such Provinces as may be willing to be bound by it. For this the Provinces have been given a right to decide whether they shall join the new constitution or stay out of it. This is left to be done by a plebiscite in which a bare majority is declared enough to decide the issue.

(3) The Constituted Assembly shall be required to enter into a treaty with the British Government. The treaty is to contain provisions for the safety and security of racial and religious minorities. After such a treaty is signed the British Government is to withdraw its sovereignty and the constitution framed by the Constituent Assembly is to come into operation.

Such in brief outline is the scheme of His Majesty's Government. The proposal regarding Constituent Assembly is not a new proposal. It was put forth by the Congress when the war broke out and what is important is that this proposal of the Congress was rejected by His Majesty's Government. This is what Mr. Amery said in the House of Commons on August 14,1940, regarding Constituent Assembly :—

> "Congress leaders.....have built up a remarkable organisation the most efficient political machine in India..... If only they had succeeded, if the Congress could, in fact speak, as it professes to speak, for all the main elements in India's national life, then however advanced their demands our problem would have been in many respects far easier than it is today. It is true that they are numerically the largest single party in British India, but their claim in virtue of the fact to speak for India is utterly denied by very important elements in India's complex national life. These others assert their right to be regarded not as mere numerical minorities but as separate constituent factors in any future Indian policy. The foremost among these elements stands the great Muslim community. They will have nothing to do with a constitution framed by a Constituent Assembly elected by a majority vote in geographical constituencies. They claim the right in any constitutional discussions to be regarded as an entity and are determined only to accept a constitution whose actual structure will secure their position as an entity against the operations of a mere numerical majority. The same applies to the

great body of what are known as the Scheduled Castes who feel that in spite of Mr. Gandhi's earnest endeavours on their behalf, that, as a community, they stand outside the main body of the Hindu community which is represented by the Congress." This statement was made by Mr. Amery when he was elucidating the announcement made by the Viceroy on 8th August 1940 in which the following pledge was given to the minorities, on behalf of His Majesty's Government. The Viceroy Said : "There are two main points which have emerged. On these two points His Majesty's Government now desire me to make their position clear. The first is as to the position of the minorities in relation to any future constitutional scheme..... It goes without saying that they (H. M. Government) could not contemplate the transfer of their present responsibilities for the peace and welfare of India to any system of Government whose authority is directly denied by large and powerful elements in India's national life. Nor could they be parties to the coercion of such elements into submission to such a Government," Again on the 23rd April 1941, Mr. Amery referred to the demand of the constitutent assembly and expressed himself in the following terms: "India's future constitution should be devised by Indians for themselves and not by the British Government. India's future constitution should be essentially an Indian constitution, framed in accordance with the Indian conception of Indian conditions and Indian needs. The only essential condition is that the constitution itself and the body which is to frame it must be the outcome of agreement between principal elements in India's national life."

Such were the views expressed and pledges given by His Majesty's Government regarding Constituent Assembly, which is now conceded. Regarding the demand for Pakistan it was a demand put forward by the Muslim League. This demand was also rejected by His Majesty's Government. This is what Mr. Amery said in regard to it in the House of Commons on August 1, 1940.

"This reaction against the dangers of what is called the Congress Raj or Hindu Raj has gone so far as to lead to a growing demand from Muslim quarters for a complete breaking up of India into separate Hindu and Muslim dominions. I need say nothing to-day of the manifold and to my mind, insuperable objections to such

a scheme, at any rate in its extreme form. I would only note that it merely shifts the problem of permanent minorities to some-what smaller areas, without solving it."

Again on April 23, 1941 he referred to it in his speech in the House of Commons and spoke about it in the following terms :—

> "I am not concerned here to discuss the immense practical difficulties in the way of this so called Pakistan project nor need I go back to the dismal record of India's history in the 18th century or to the disastrous experience of the Balkan countries before our eyes today in order to point out the terrible dangers inherent in any break up of the essential unity of India, at any rate in its relation to the outside world. After all, there is no British achievement in India of which we have reason to be proud than the unity.....we have given her."

Such were the views of His Majesty's Government only a year ago regarding Constituent Assembly and Pakistan.

It is quite obvious that the proposal for a Constituent Assembly is intended to win over the Congress, while the proposal for Pakistan is designed to win over the Muslim League. How do the proposals deal with the Depressed Classes ? To put it shortly, they are bound hand and foot and handed over to the Caste Hindus. They offer them nothing, stone instead of bread. For the Constituent Assembly is nothing short of a betrayal of the Depressed Classes. There can be no doubt as to what the position of the Depressed Classes will be in the Constituent Assembly nor can there be any doubt regarding the political programme of the Constituent Assembly. In the Constituent Assembly there may be no representatives of the Depressed Classes at all because no communal quotas are fixed by these proposals. If they are there they cannot have a free, independent and decisive vote. In the first place the representatives of the Depressed Classes will be in a hopeless minority. In the second place all decisions of the Constitutent Assembly are not required to be by a unanimous vote. A majority vote is enough to decide any question no matter what its constitutional importance is. It is clear that under this sytem the voice of the Depressed Classes in the Constituent Assembly cannot count. In the third place the present system of proportional representation by which the members to the Constituent Assembly are to be elected

under the terms contained in His Majesty's proposals cannot but result in the caste Hindus having virtually the right to nominate the representatives of the Depressed Classes to the Constitutent Assembly. Such representatives of the Depressed Classes will be the tools of the caste Hindus. In the fourth place the Constituent Assembly will be filled with the Congressites who will form the dominant majority party able to carry out its own programme. There is no doubt that Mr. Gandhi, whatever may be said about his endeavours in the matter of the social uplift of the Depressed Classes is totally opposed to giving political recognition to the Depressed Classes in the constitution as a separate and distinct element in the national life of India. That being the case the programme of the majority party in the Constituent Assembly will be to wipe out the political safeguards already granted to the Depressed Classes in the present constitution.

Anyone who realises what is implied in the Constitutuent Assembly will admit that His Majesty's Government by their proposals have literally thrown the Depressed Classes to the wolves. It may be said that while there is the Constituent Assembly which may deny constitutional safeguards to the Depressed Classes, His Majesty's Government have been careful to include in their proposals in the provisions for a treaty with the Constituent Assembly the object of which is to secure the interests of the Depressed Classes. This proposal of a treaty is evidently borrowed from the plan adopted by His Majesty's Government for the settlement of the Irish dispute. The proposal regarding the treaty does not say what are the safeguards His Majesty's Government will decide to include in the treaty. This is an important point because there may be a difference of opinion between His Majesty's Government and the Depressed Classes on the nature, number and method of the political safeguards that may be necessary to protect the interests of the Depressed Classes under the new constitution.

The second and equally important question about the treaty is what is going to be the sanction behind the treaty. Will the treaty be a part of the constitution framed by the Constituent Assembly, so that any provision in the constitution which is repugnant with the treaty will be *null and void*. Or, will the treaty be just a treaty between the two Governments—the Indian National Government and His Majesty's

Government, as any trade treaty. If the treaty is to be of the former kind it will be the law of the land and will have legal sanction of the Indian Government behind it. If, on the other hand, the treaty is to be of the latter kind it is obvious it will not be the law of the land and will have no legal sanction behind it. Its sanction will be a political sanction. Now a treaty cannot override the constitution framed by the national Government for the obvious reason that such a thing, as was found in the case of Irish Free State, is incompatible with Dominion Status. The only sanction behind such a treaty will be a political sanction. It is obvious that the use of such sanction must depend upon the colour of the Government and the state of public opinion.

Given this fact the questions that arise are two :—(1) What are the means which His Majesty's Government will have at its disposal to enforce the treaty obligations. (2) Secondly, will His Majesty's Government be prepared to use these means to coerce the Indian National Government to abide by the terms of the treaty. With regard to the first question it is obvious that the means for enforcing the treaty are two-fold, use of force and trade war. As to the military force, the Indian army will not be available. It will be entirely transferred to the control of the new Indian National Government. His Majesty's Government will have therefore lost this means of enforcing the treaty. It is impossible to believe that His Majesty's Government will send its own army to compel the National Government to obey the treaty. A trade war is not possible. It is a suicidal policy and the experience of the Irish war with the Irish Free State for the recovery of land annuities shows that a nation of shop-keepers will not sanction it even though it may be for their interest and honour.

The treaty therefore is going to be an empty formula if not a cruel joke upon the Depressed Classes. His Majesty's Government has sent out these proposals to be welcomed by Indians. But neither His Majesty's Government nor Sir Stafford Cripps have offered any explanation as to why they are offering to Indians the very proposals which His Majesty's Government have been condemning in scathing terms only a few months ago. A year ago His Majesty's Government said that they would not grant Constituent Assembly because that would be a coercion of the minorities. His Majesty's Government is now prepared to grant Constituent Assembly and to coerce the

minorities. A year ago His Majesty's Government said that they will not allow Pakistan because that is Balkanization of India. Today they are prepared to allow the partition of India. How the Government of a Great Empire lose all sense of principle ? The only explanation is that His Majesty's Government has, as a result of the course of the war, become panic-striken. The proposals are the result of loss of nerve. How great is the panic that has overtaken His Majesty's Government can be easily seen if one compared the demands made by the Congress and the Muslim League and the concessions made to them by these proposals. The Congress, while it demanded that the constitution should be framed by a Constituent Assembly, did not demand that the question of safeguards for the minorities should be decided by the Constituent Assembly by a mere majority vote. On the other hand when the Viceroy announced that the British Government will not be a party to the coercion of the minorities involved in the demand by the Congress, the Working Committee of the Congress at its meeting at Wardha held on August 22, 1940 passed the following resolution :—

> "The committee regrets that although the Congress has never thought in terms of coercing any minority, much less of asking the British Government to do so, the demand for a settlement of a constitution though through a Constituent Assembly of duly elected representatives has been misrepresented as coercion and the issue of minorities has been made into an insuperable barrier to Indians progress." The Working Committee added :—"The Congress had proposed that minority rights should be amply protected by agreement with the elected representatives of the minorities concerned."

This shows that even the Congress did not demand that the decision of minority rights should be included in the purview of the Constituent Assembly. His Majesty's Government has not only given the Congress what it did not ask for but has given them the additional right to decide this minority rights issue by a bare majority vote. With regard to the question of Pakistan, the same attitude is noticeable. The Muslim League did not demand that Pakistan must be conceded immediately. All that the Muslim League had asked for was that at the next revision of the constitution the Musalmans should not be prevented from raising the question of Pakistan. The present proposals have gone a step beyond and distinctly given to the Muslim League the right to create Pakistan.

These are constitutional proposals. They are intended to lead India to wage a total war in which Hindus, Musalmans, Depressed Classes and Sikhs are called upon wholeheartedly to participate. Yet Sir Stafford Cripps, either with the consent or without the consent of His Majesty's Government has been making discrimination between major parties and minor parties. The major parties are those whose consent is necessary. Minor parties are those with whom consultation is believed to be enough. This is a new distinction. Certainly it was never made in the prior pronouncements either of His Majesty's Government or of the Viceroy. The pronouncement spoke of the "consent of the principal elements in the national life of India."

So far as the Depressed Classes are concerned I am not aware of any pronouncement in which the Depressed Classes were placed on a lower plane than the one given to the Mussalmans. I quote the following from the speech of Viceroy made in Bombay on January 10, 1941 from which it will be seen that the Depressed Classes were bracketed with the Mussalmans.

> "There are insistent claims of the minorities. I need refer only to two of them; the great Muslim minority and the Scheduled Classes; there are the guarantees that have been given to the minorities in the past, the fact that their position must be safeguarded and that those guarantees must be honoured."

This invidious distinction now sought to be made is a breach of faith with those minorities whose position has been lowered by this discrimination. From a constitutional point of view it is an obnoxious distinction. From the point of view of total war it is bound to cause more disaffection and disloyalty in the country. It is for the British to consider whether in this attempt to win the friendship of those who have probably already decided to choose other friends they should lose those who are their real friends. The proposals show a sudden *volte face* on the part of His Majesty's Government. The putting forth of those proposals which were denounced by them as an invasion of minorities' rights is an indication of their complete surrender of right to might. This is Munich Mentality, the essense of which is to save oneself by sacrificing others. It is this mentality, which is writ large on those proposals. My advice to the British Government is that they should withdraw these proposals. If they cannot fight for right and justice and their plighted word they should better make peace. They can thereby at least save their honour."

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# 6

## * The Marquess of Linlithgow to Mr. Amery

*Telegram, MSS. EUR. F. 125/23*

MOST IMMEDIATE *1 July 1942*

PRIVATE AND PERSONAL

No. 1968-S. Your private and personal telegram No. 799@ of July 1st. I would prefer (*a*) to issue announcement in paragraph 4 as a separate announcement, and to accompany it with (*b*) a communique in the following terms :—

*Begins*. His Majesty the King has been pleased to approve the appointment of Sir C. P. Ramaswami Aiyar, Dr. B. R. Ambedkar, Sir E. C. Benthall, Sir Jogendra Singh, Sir J. P. Srivastava and Sir Mohammad Usman to the Executive Council of the Governor-General of India.

The following appointments to portfolios have been made by the Governor-General :—

As Member in charge of "Information" Sir C. P. Ramaswami Aiyar in succession to the late Right Hon'ble Sir Akbar Hydari.

As Member in charge of "Civil Defence" Sir J. P. Srivastava in succession to the late Dr. Raghavendra Rao.

As Member for "War Transport" and for "Posts and Air" respectively consequent on the appointment of Sir Andrew Clow, late Member in charge of "Communications", to be Governor of Assam, Sir E. C. Benthall and Sir Hohammad Usman.

As Member for "Defence" Sir Firoz Khan Noon.

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* The Transfer of Power, Vol. II, No. 211, pp. 300-01.

@ No. 206

To succeed Sir Ramaswami Mudaliar as Commerce Member on his appointment as a Representative of India at the War Cabinet, Mr. N. R. Sarker.

As Member in charge of the Department of Education, Health and Lands in succession to Mr. Sarker, Sir Jogendra Singh.

As Member in charge of the Department of Labour in succession to Sir Firoz Khan Noon, Dr. B. R. Ambedkar.

The Portfolio of His Excellency the Commander-in-Chief will in future be designated the "War" portfolio.

The new Defence Member will be responsible for the work at present discharged by the Defence Co-ordination Department, together with such other matters relating to the defence of India as are not included in the portfolios of "War" and "Civil Defence".

*Ends.*

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# 7

# War Cabinet Paper W.P. (42) 283

*L/P & J/8/510 : ff 407-16*

## REPORT ON MISSION TO INDIA
## * MEMORANDUM BY THE LORD PRIVY SEAL

6 *July 1942*

I think it is desirable for purposes of official record and for the assistance of any similar Mission to India in future that I should provide a detailed account of the discussions which I had with Indian leaders during my recent visit to India.

* * *

### **(*f*) The Depressed Classes

I received Dr. Ambedkar and Mr. Rajah as representatives of the Depressed Classes on the 30th March. They pointed out that, under the present system of election of Depressed Class representatives to Provincial Legislatures imposed by the Poona pact,@ the Depressed Classes would get very small representation in the Constituent Assembly, as most of their so-called representatives would be Congressmen. They asked me whether we considered the Depressed Classes to be one of the racial and religious minorities, and I replied that we did. They then asked what kind of provisions were likely to

*The Transfer of Power, Vol. H, No. 227. pp. 336-37.

**The Transfer of Power, Vol. II, No. 227, p. 336-37. *Portion concerning Dr. Ambedkar alone is reproduced.*—Ed.

@ The Poona Pact between Hindu and Depressed Class leaders modified the Communal Award of 4 August 1932 (*see* note II). Its principal provisions were as follows : 148 instead of 71 seats were to be reserved for the Depressed Classes but their representatives were to be elected jointly by Caste Hindu as well as Depressed Class voters; however, the joint electorate's choice was to be confined to a panel of four candidates selected in a primary election in which only Depressed Class voters could take part. The Pact was reached under pressure from Gandhi (then in gaol at Poona) who regarded the Depressed Classes as members of the Hindu community and opposed separate electorates for them. He threatened a fast (begun on 20 September) 'unto death' unless the Communal Award was altered to meet his objections. The Pact was agreed on 24 September and the acquiescence of H.M.G. was announced on 26 September 1932.

be made in the Treaty for their protection. I said that these would be on the lines of the League of Nations minority treaties, and that, if there were special provisions in the Constitution, these would probably be repeated in the Treaty, and that there would be some obligation to refer the matter to some outside authority in the event of a dispute, the Government of the Indian Union undertaking to abide by the decision so given. If the Indian Government failed to do so this would constitute a breach of treaty, and the British Government could take such steps as it considered wise in the particular circumstances. I said that, though this form of protection might seem to them inadequate, it was the only possible one, once granted the principle of self-determination for India.

On the following day Dr. Ambedkar and Mr. Rajah wrote to me saying that the proposals were unacceptable to the Depressed Classes, as they would place them under an unmitigated system of Hindu rule, and would be resisted by them by all the means at their disposal. They requested me to convey their anxieties to His Majesty's Government, and to impress upon them that the Depressed Classes would regard it as a breach of faith if a Constitution were forced upon them by His Majesty's Government which had not received their free and voluntary consent, and did not contain within itself the provisions necessary for safeguarding their interests.

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# 8

## * The Marquess of Linlithgow to Mr. Amery

*Telegram, MSS. EUR. F. 125/23*

IMMEDIATE NEW DELHI, *23rd July 1942, 5-35 p.m.*

*Received : 23 July, 5-30 p.m.*

No. 2169-S. Following from Lumley, dated July 22nd :—

*Begins*. Ambedkar made a strong speech last night declaring civil disobedience at this time "treachery to India" and " playing the enemy's game" and urging all Indians as a patriotic duty "to resist with all the power and resources at their command any attempt on the part of Congress to launch civil disobedience".

2. He also announced that before he left for Delhi he would issue a statement explaining the line of policy which the Independent Labour Party and other allied organizations *must* follow. He asked his audience (of his followers) to study that statement and implicitly carry out its instructions. *Ends*.

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*The Transfer of Power, Vol. II, No. 310, pp. 436.

# 9

## *The Marquess of Linlithgow to Mr. Amery

*Telegram, MSS EUR F 125/23*

IMMEDIATE *24 October 1942*

No. 47-Q.C. My telegram No. 46-Q.C.

(*a*) Following is telegram received from Members of Council.—

*Begins*. We have read with considerable surprise the statement@ said to have been made by the Secretary of State in House of Commons that "the present European members were being retained merely because of difficulty in finding suitable Indians for posts". If the Secretary of State has been correctly reported we beg to dissociate ourselves wholly with the position taken up by him. In our considered opinion there is no difficulty whatsoever in finding suitable Indians for any positions in Government of India and we have to remind the Secretary of State that if Congress and the Muslim League had accepted the Cripps' proposals there would have been at the Centre today a wholly Indian Government with very wide powers. We have to add that statement in question is entirely at variance with facts and constitutes an affront to Indians and we have to request Your Excellency to communicate these our views to the Secretary of State. We also desire in this place to call attention to the Secretary of State's declaration that he was not prepared in the present circumstances to permit interviews with Congress leaders and to enquire where the members of the Government of India come in on this policy and whether they have any say in it. In this connection Lord Simon's statement in which he describes members of the Government as

*The Transfer of Power, Vol. III, No. 116, p. 153.

@ For texts of statements by Mr. Amery and Lord Simon referred to in this telegram, *see* No. 119.

Advisers seems significant.* We would not have troubled Your Excellency with this communication while you are on tour but we feel very strongly our position has been rendered extremely difficult by declaration of this character. *Ends*.

Above telegram is from Mody, Sultan Ahmed, Ancy, Sarker, Ambedkar, Srivastava, Jogendra Singh.

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*'Significant' deciphered as 'to (? derive) Special Significance'.

# 10

## * Dr. Ambedkar to the Marquess of Linlithgow

*MSS. EUR. F. 125/124*

NEW DELHI, *29 October 1942*

My dear Lord Linlithgow,

In the course of my second weekly interview with you I told you that the position of the Scheduled Castes was very unsatisfactory and that the Central Government had not done what I thought it was bound to do for their treatment. On that you very kindly asked me to prepare a Memorandum for your consideration contianing the grievances of the Scheduled Castes and the remedies for removing them. All this of course must be within your recollection. Indeed it is you who reminded me several times since then if the Memorandum was ready. Unfortunately owing to the heavy pressure of work which fell on me since I took charge, I could not give to the work of preparing the Memorandum the priority which I should have liked to give to it. I am, however, happy that at last I have been able to submit it for your consideration.

2. The @Memorandum unfortunately has become a very lengthy document. I had a choice between making the Memorandum a short one containing bare recital of the grievances and the remedies to remove the same or to make it an exhaustive one containing not only the grievances and the remedies but also the reasoning in support of the remedies suggested. I have chosen the latter alternative. In doing so I have had to bear in mind the fact that the grievances set out in the Memorandum and the remedies suggested for their removal will go to different Departments for their opinion, and unless the Memorandum contained the reasons, the remedies can have very little chance

*The Transfer of Power, Vol. III, No. 125, pp. 165-68.

@ *The Memorandum has been included in section I of Part II of this volume.*—Ed.

of being accepted.

3. For Convenience I am setting out below in bare outline the grievances and the remedies which are included in the accompanying Memorandum :—

I. Political Grievances—


| | | Pages |
|---|---|---|
| 1. | More representation in the Central Legislature | 5-9 |
| 2. | More representation in the Central Executive | 9-10 |
| 3. | Assurance of fair representation in the Public Services— | |
| | (i) By declaring the Scheduled Castes as a minority and by reserving 13 ½ per cent, of the annual vacancies for them. | 10-21 |
| | (ii) Raising the age bar ... ... | 21 |
| | (iii) Reduction in Examination Fees ... ... | 21 |
| | (iv) Appointment of Scheduled Caste officer to protect Service rights of the Scheduled Castes. | 21-22 |
| 4. | Representation on the Federal Public Service Commission | 22 |
| II. | Educational Grievances— | |
| | 1. An annual recurring grant of Rs. 2 lakhs for scholarships to Scheduled Caste students studying for Science, Engineering and Technology at the different Universities. | 23-25 |
| | 2. An annual grant of Rs. 1 lakh for education in Science, Technology and Engineering in foreign countries to students belonging to the Scheduled Castes. | 23-25 |
| | 3. Scholarships and free-ships for Scheduled Caste boys at the Indian School of Mines conducted by the Central Government. | 25-26 |
| | 4. Appointment of two representatives of the Scheduled Castes on the Central Board of Education established by the Government of India. | 26-27 |
| | 5. Facilities for technical training by reserving— | |
| | (*a*) apprenticeships in Government Printing Presses, and | 27 |
| | (*b*) apprenticeships in Government Railway workshops | 27-28 |
| III. | Other Grievances— | |
| | 1. Provision for adequate publicity of the social and political grievances of the Scheduled Castes. | 29-30 |
| | 2. Special provision for securing for members of the Scheduled Castes a fooling in the Government Contracts system in the Public Works Department. | 30-31 |


4. I give this Summary because I quite realize that it will not be possible for you to find the time necessary to go through the whole of it. I wish you could find lime to read the whole of the Memorandum. But if you cannot read the whole, I would request you at least to read Part IV (pages 32-36) of this Memorandum. In that Part of the Memorandum I have instituted a comparison between the condition of the Scheduled

Castes and the Anglo-Indians and the efforts made for the bettermen of the latter. I request you to read it because I feel sure that by its perusal you will see how just and modest are the demands I have made and what the Government of India has done for the elevation of a class not more unfortunate than the Scheduled Castes.

5. I need not say that I hope the grievances of the Scheduled Castes will be remedied before you go. Believe me, I have read with genuine sorrow that you will be quitting your office in April next. I have no idea who is going to be your successor and what attitude he will adopt towards the Scheduled Castes. In you I have learnt to place great confidence as the benefactor of the Scheduled Castes. You have done the greatest deed towards them by giving them a place in your Executive Council. It is a most revolutionary act for which there can be no parallel in India's history. I have no doubt and no member of the Scheduled Castes has any doubt that if you knew the grievances of the Scheduled Castes you would never hesitate to set them right. It is from this point of view that I say that I am happy to have to seek justice for my people from one who knows that justice is due to them. I know you have the will to do it and that you will not like to leave it to your successor to do what you wish to do, and what you can do. I need hardly say that for this act of justice myself and the 50 millions of the Scheduled Castes will ever remain grateful to you.*

Yours Sincerely,
B. R. AMBEDKAR

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* Dr. Ambedkar submitted a further memorandum to Lord Linlithgow under cover of a letter dated 8 January 1943, in which he slated that this memorandum presented the case against the Constituent Assembly from the standpoint of the Depressed Classes and set out the questions on which the Depressed Classes had desired him to obtain an assurance from the Secretary of State. MSS. EUR. F 125/125. *See* No. 336, para. 9.

# 11

## * Precis of Discussion in the Viceroy's Executive Council

*Enclosure to No. 298*

*December 1942*

*The Viceroy* explained at the outset that the discussion was necessarily on an informal basis and without prejudice to existing constitutional arrangements, and then examined briefly and objectively the three directions in which he understood in advance to be desired—

(*a*) The complete Indianisation of his Council;

(*b*) The elimination or reduction of the powers of control and interference of the Secretary of State; and

(*c*) Mitigation of the purely official nature of the administration in the Section 93 Provinces. The general discussion was then opened.

* * *

*Dr. Ambedkar* (Member for Labour) was opposed to any change unless it was in accordance with the Declaration of August 1940* (providing for consultation with important minorities). Subject to that, he was in favour of change, since what was needed was a strong Government, i.e. one with public opinion behind it. In the Provinces, ministerial government was best, even if merely a minority ministry. An Executive Council would be better than advisers. As for the Centre, Indianisation by itself would not placate Congress and might merely irritate them; and were Non-Congress elements worth placating ? Before Indianisation took place the communal composition of the Council must be settled, and that by Indians themselves. Congress had shirked this problem; they had not the will to solve it. His suggestion

*Transfer of Power, Vol. III, (End. to No. 298), p. 426. (*Extracts concerning Dr. Ambedkar alone are reproduced. Rest of the discussion is omitted.*—Ed.)

was to take the Cripps proposals as a basis and try for a national Government composed of Congress, the Moslem League, Depressed Classes, Sikhs and Christians. The Indian members of Council ought to sit down and prepare a scheme for communal representation. Though he preferred an autocratic Viceroy to a distant Secretary of State, he would not press for interference with the Secretary of State's powers.

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# 12

## * Field Marshal Viscount Wavell to Mr. Amery

*Telegram, LIP & J/8/522 : F 198*

IMMEDIATE

NEW DELHI, 7 *June 1945, 7-55 p.m.*
*Received : 7 June, 10 p.m.*

970-S. Superintendent series. Ambedkar Srivastava and Khare have this morning submitted joint note@ protesting against proposed equality for caste Hindus and Moslems and asserting that the proposals approved by His Majesty's Government are unfair both to Hindus and to the Scheduled Castes. They consider that caste Hindus should have a majority over Moslems and that Scheduled Castes should have more than one member. They ask that their views be communicated to His Majesty's Government.

2. The short answer is that the proposals approved by His Majesty's Government are for an interim arrangement only and that the main object at present is to get the parties to work together. I see no reason to modify views already expressed in my official telegrams.

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*The Transfer of Power, Vol. V, No. 482, p. 1094.

@ This note is printed in Wavel Papers, Political Series, April 1944-July 1945, Pt. I, pp. 209-10.

# 13

## * Dr. Ambedkar to Field Marshal Viscount Wavell

*Wavell Papers, Political Series, April 1944-July 1945*
*Pt. I, pp. 207-9*

NEW DELHI, 7 *June 1945*

Dear Lord Wavell,

I am grateful to you for asking me in my capacity as the leader of the Scheduled Castes to be a member of the Conference which you propose to call in furtherance of your proposal for the Indianisation of the Executive Council. I told you, for reasons which I need not repeat here, that I am unable to accept your offer. Thereupon you desired me to name a substitute. Though I have expressed my disapproval with your proposals, I do not wish to deny you such help as you may derive from the presence of a Scheduled Caste representative in your Conference. I am, therefore, prepared to suggest a substitute. Judging on the suitability of various names that occur to me, I cannot think of any other name than that of Rao Bahadur N. Siva Raj., B.A., B.L. He is the President of the All-India Scheduled Castes Federation and is also a member of the Central Legislative Assembly and of the National Defence Council. If you like you may invite him to the conference as a representative of the Scheduled Castes.

2. There is one other matter to which I feel I must draw your attention right now. It relates to the extreme inadequacy of the representation given to the Scheduled Castes in His Majesty's Government's proposals for the reconstitution of the Executive Council. Five scats to 90 millions of Muslims, one scat to 50 millions of Untouchables and 1 scat to 6 millions of Sikhs is a strange and sinister kind of political arithmetic which is revolting to my ideas of

*The Transfer of Power, Vol. V, No. 483, p. 1094-97.

justice and commonsense. I cannot be a party to it. Measured by their needs, the Untouchables should get as much representation as the Muslims, if not more. Leaving needs aside and taking only numbers the Untouchables should get at least three. Instead, they are offered just one in a Council of fifteen. This is an intolerable position.

This is a matter to which I drew your attention at the meeting of the Executive Council held on the 5th June when you explained His Majesty's Government's proposals to the Council. At the meeting of the 6th morning you replied to the criticisms offered by Members of Council the previous evening on the merits of the proposals. I naturally expected that you would also deal with the point I had raised. But to my great surprise you completely ignored it and made no reference to it whatever. It could not be that I was not emphatic enough. For I was more than emphatic. The conclusion I draw from your omission to refer to it is that either you did not think the matter to be of sufficient importance to deserve your notice or that you thought that I had no intention beyond lodging a protest. It is to remove this impression and to tell you in quite unmistakable terms that I propose to take definite action should His Majesty's Government fail to redress the wrong that I feel the necessity of writing this letter.

I would not have felt as hurt as I do if such a proposal had come from the Congress or the Hindu Mahasabha. But it is a decision by His Majesty's Government. Even the general Hindu opinion is in favour of increased representation to the Scheduled Castes both in the Legislature and in the Executive. To take the proposals of the Sapru Committee as an indication of general Hindu opinion, the proposal of His Majesty's Government must be admitted to be retrograde. For, this is what the Sapru Committee has said :—

> "the representation given to the Sikhs and Scheduled Castes in the Government of India Act is manifestly inadequate and unjust and should be substantially* raised. The quantum of increased representation to be given to them should be left to the Constitution-making Body.
>
> "Subject to the provisions of clause (b) the executive of the Union shall be a composite cabinet in the sense that the following communities shall be represented on it, *viz.*—
>
> (i) Hindus, other than Scheduled Castes.

(ii) Muslims,

(iii) Scheduled Castes,

(iv) Sikhs.

(v) Indian Christians,

(vi) Anglo-Indians.

"(b) The representation of these communities in the executive shall be, as far as possible, a reflection of their strength in the Legislature."

I may add that two of my Hindu colleagues in the Executive Council have in the memorandum they have presented to you this morning* expressed that the representation given to the Scheduled Castes in His Majesty's Government's proposals is inadequate and unfair. What shocks me [is] that His Majesty's Government with all their profession of being trustees for the Scheduled Castes and contrary to their repeated declarations should have treated their wards in such an ill-liberal, unfair and unjust manner and far worse than enlightened Hindu opinion would have done. I feel it, therefore, my bounden and sacred duty to oppose the proposal by every means at my command. The proposal means a deathknell to the Untouchables and will have the effect of liquidating their efforts over the last 50 years for their emancipation. If His Majesty's Government notwithstanding its many pronouncements wish to hand over the fate of the Untouchables to the tender mercies of Hindu-Muslim combine, His Majesty's Government may well do it. But I cannot be a party to the suppression of my people. The conclusion to which I have come is to ask His Majesty's Government to redress the wrong and to give to the Untouchables at least 3 seats in the new Executive Council. If His Majesty's Government is not prepare[d] to grant this, then His Majesty's Government should know that I cannot be a member of the newly-constituted Executive Council, even if I was offered a place in it. The Untouchables have been looking forward to a full recognition of their political rights for some time past. I have no doubt that they will be stunned by the decision of His Majesty's Government. And I would not be surprised if the whole of the Scheduled Castes decided as a matter of protest not to have anything to do with the new Government. I am sure their disillusionment will

**See* No. 482. (Transfer of Power).

bring about a parting of the ways. This is what I anticipate will be the result of His Majesty's Government's proposals, if they are not revised. So far as I myself am concerned, my decision is made. I may be told that this is not the final shape of things. This is only an iterim arrangement. I have been long enough in politics to know concessions and adjustments more[once] made grows into vested rights and how wrong settlements once agreed upon become precedents for future settlement. I cannot therefore allow grass to grow under my feet. If I have capacity to judge aright, I visualize that the distribution of seats though it begins as a temporary arrangement will end by becoming permanent. Rather than be left to regret towards the end, I feel I must lodge my protest against it at the very beginning.

It may well be that His Majesty's Government may not mind my eclipse and even the eclipse of the Scheduled Castes from the future Government of India : nor regret the consequent parting of the ways between the British Government in this country and the Scheduled Castes. But I believe it is only fair that His Majesty's Government should know what I have to say about the subject. I have therefore to request you to communicate to His Majesty's Government my proposal for increase in the representation of the Scheduled Castes in the executive Council and the course of action I propose to take if the proposal is rejected by them.

I am,

Yours sincerely,

B. R. AMBEDKAR

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# 14

## * Field Marshal Viscount Wavell to Lord Pethick-Lawrence

*L/PO/10/22*

PRIVATE AND SECRET

No. 45 THE VICEROY'S HOUSE, NEW DELHI,

5 December 1945

* * *

14. Ambedkar has recently submitted to Council his proposals for Labour Legislation for the Budget Session of 1946. One was a bill to amend the Factories Act, to reduce hours of work from 56 hours to 50 hours per week. This will have to be reconsidered by Council when the comments from Provincial Governments have been received. A second proposal is to introduce a bill to fix minimum wages. All Provincial Governments are being consulted on this, but the bill is undoubtedly too ambitious in trying to fix minimum wages for too many industries. The schedule even includes Agriculture, though the administrative machinery to enforce minimum wages in all the 6,50,000 villages of India cannot possibly be provided. There was, however, a good deal of sympathy in Council for the proposal to introduce a bill governing at any rate those industries where sweated labour is believed to be employed. Provincial Governments are being consulted. Council accepted a non-controversial bill to amend the Workman's Compensation Act, and another called the Employment (Standing Orders) Bill designed to secure that workers in large industrial establishments know what their conditions of service are. Finally Council approved a proposal to introduce a bill to amend the Trades Union Act and refer it to a Select Committee. The bill makes recognition of Trade Unions compulsory on employers.

*The Transfer of Powers, Vol. VI, No. 268, p. 605. *Only para 14 concerning Dr. Ambedkar is reproduced. Other paras are omitted.*—Ed.

15. At a later meeting Ambedkar introduced rather prematurely a unified scheme of insurance and social security for industrial workers. I fully sympathise with Ambedkar's desire to get a move on with such schemes, but in this one he had not secured the necessary measure of inter-departmental agreement, and it was not clear that all Provinces would be able to make administrative arrangements for implementing the medical part of the scheme. We hope, however, to get the remaining preliminary work done in time to introduce a bill in the Budget Session and make a motion to circulate it to elicit public opinion.

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# 15

# * Note of Meeting between Cabinet delegation, Field Marshal Viscount Wavell and Dr. B. R. Ambedkar on Friday, 5th April 1946 at 12 noon

[L/P&J/5/337 : PP. 83-5]

**Secret**

Dr. Ambedkar said that he had little to add to the memorandum,† of which copies had been supplied to the Delegation, giving the text of the resolution passed by the Working Committee of the All-India Scheduled Castes Federation at its meeting on April 2nd. Paragraph 5 of this memorandum contained a list of safeguards which were largely designed to secure to the Scheduled Castes adequate representation in Government and the Pubic Services. The Federation would never accept any constitution in which these were not included.

On the question of Pakistan Dr. Ambedkar doubted whether Muslims as a whole would really be benefited by the new State. So many of them would have to remain in Hindustan and would be unwilling or unable to migrate.

He wondered whether Pakistan was a permanent or a passing mood on the part of the Muslims. Quite probably it would pass. But it was impossible to wait and see and the Muslim demand had grown so strong that it had become necessary to meet it somehow. In his book on the subject‡ he had proposed that this dilemma should be resolved by an adaptation of the solution which Mr. Asquith had propounded in 1920 for the Irish problem. Mr. Asquith had suggested that Ulster should be separated from the rest of Ireland for six years ; but that a council consisting of representatives of both parts of the country should be established to deal with matters of common concern during this period. At the end of the six years Ulster would have had to choose whether to remain separate or to re-unite with Southern Ireland. Similarly,

* The Transfer of Power, Vol. VII, No. 58, pp. 144-47.

†*L/P&J/10/50.*

‡B. R. Ambedkar, *Pakistan or the Partition of India* (Thacker & Co., Bombay, 1946).

Dr. Ambedkar had proposed that Pakistan should be given independence for ten years, at the end of which it would be known whether it was an economic proposition. He admitted that if the people of Pakistan then wished to join up with Hindustan they would be in a weak position to negotiate and all the bargaining counters would be on the other side. During the ten-year period there might be a common council, but it would be purely consultative and would have no executive power. Any All-India Central Government to which the Muslims could, in their present mood, be brought to agree would be so weak as to be useless. There were many other fissiparous tendencies besides the Muslim demand for Pakistan, and the only Central Government worth having would be a strong one which could hold. the country together.

In reply to an enquiry on the method of representation of the Scheduled Castes in the Constituent Assembly, Dr. Ambedkar said that he did not want a Constituent Assembly at all. It would be dominated by the caste Hindus, and the Scheduled Caste members would be no more than a small minority which would always be outvoted even if a three-quarters or a two-thirds majority were required for the Assembly's decisions. All the assurances of protection which His Majesty's Government had given to the minorities would go by the board. Moreover there would be an immense amount of corruption in the Assembly—members would be bought over to vote against the interests of their communities.

His own proposal was that the tasks envisaged for the Constituent Assembly should be divided into two glasses, viz :—

(a) Constitutional questions properly so-called, e.g. the relations between the Legislature and the Executive and their respective composition and functions. There was no great controversy about these matters which did not excite the emotions. To deal with them was beyond the mental capacity of the type of man whom Provincial Assemblies might be expected to send up, and was a job for experts.

(b) Communal questions.

Questions under the first of these headings should be referred to a commission presided over by an eminent constitutional lawyer from Great Britain or the U.S.A. The other members should be two Indian

experts and one representative each of the Hindu and Muslim communities. The terms of reference of the Commission should be the Government of India Act of 1935 and they should be required to recommend what changes should be made in the Act as it stood.

Questions under (b) should be referred to a conference of the leaders of the different communities. If the conference failed to arrive at an agreed solution, His Majesty's Government would have to make an award. This would no doubt be accepted if it were reasonable.

Dr. Ambedkar then described the position of the Scheduled Castes today. It was estimated that they numbered sixty million, though this figure was probably inaccurate, firstly, because there were no reliable statistics for the States and, secondly, because the census had become mixed up with politics. All these people were subject to very serious disabilities. In the villages they were without land and were virtually the slaves of the Caste Hindus. As an instance of the power of the latter, he said that when some Untouchables had escaped from their villages to take up well-paid work under the Military authorities, the Caste Hindus had managed to force them back to work for them. Owing to the preponderance of Caste Hindus in the Subordinate Police and Revenue Services the Government was already, from the point of view of the Untouchables, not a British but a Hindu one. An example had been the recent arrest of 100 of their boys in Bombay for throwing stones at Mr. Gandhi, when the police had also taken the opportunity to do considerable damage in the Scheduled Caste area of the city.

Politically, although the Scheduled Castes like the other communities, had been granted separate electorates in 1932, they had virtually been deprived of them by the Poona Pact.* Instead, they had got the system of double elections which meant that in the second election, in which all the Hindus voted, the Caste Hindus could nullify the result of the first election in which Untouchables were the only voters. He referred to the figures appended to the Working Committee's resolution of April 2nd which showed, firstly, that in many cases the Congress Scheduled Caste candidates, though outvoted by the Federation candidates in the primary elections, had beaten them in the final elections : and, secondly, how small was the number of Scheduled

*_See_ No. 45, note 3.

Caste voters in comparison with the total of general voters. Even so, Congress had resorted to loot and arson to ensure the success of their candidates ; he produced a volume of photographs to show what they had done.

The Central Legislature had been in existence since 1919, yet no questions were ever asked, resolutions moved or anything else done with the object of helping the Scheduled Castes.

In the Indian States the position of the Scheduled Castes was especially bad. There were even certain foods which they were not allowed to eat. In the representative institutions which were now being established in certain States no community had been given separate representation except the Muslims. The Political Department should have taken greater interest in these constitutional experiments, and should have seen to it that the Scheduled Castes were given separate electorates. The Delegation should see the President of the All-India Scheduled Castes States Conference.

The Scheduled Castes had been the earliest source of man-power for the East India Company's army, and so it was with their help that the British had conquered India. They had been the friends of the British ever since. Yet the British had never consciously and deliberately helped them, though since 1892 they had given enormous help to the Muslims.

He thought that if India became independent it would be one of the greatest disasters that could happen. Before they left, the British must ensure that the new constitution guaranteed to the Scheduled Castes the elementary human rights of life, liberty and the pursuit of happiness, and that it restored their separate electorates and gave them the other safeguards which they demanded. At present disillusionment was driving his followers towards terrorism and communism. He was on trial with them for the efficacy of constitutional methods.

Lord Pethick-Lawrence said that up to now Indian politics had been dominated by two issues, the question of winning independence from British rule and the Hindu-Muslim problem. Once these were out of the way party divisions would probably be on economic issues. Surely the Scheduled Castes would have a better chance of getting their rights by allaying themselves with the left wing than by relying on the British who were about to hand over power. In reply Dr. Ambedkar reiterated

that so long as there were joint electorates, Scheduled Caste voters would be so few that Hindu candidates could safely ignore their wishes. Caste Hindus would never support Scheduled Caste candidates. Admittedly under the present system they had to vote for Untouchables in the final elections ; but their object in doing so was never to favour their own candidate but merely to outvote the candidate put up by his own Federation. Separate electorates were fundamental, since without them the Scheduled Castes would never have their own representatives.

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# 16

## Dr. Ambedkar to Lord Wavell, Governor General of India

**Bhimrao R. Ambedkar,*
M. A. Ph. D., D. Sc, Banister-at-Law,
Member, Governor General's
Executive Council.

22, Prithviraj Road, New Delhi
*Dated, 3rd May 1946*

*Dear Lord Wavell,*

The omission on the part of the Cabinet Mission to invite a representative of the Scheduled Castes to their Conference in Simla has given rise to many misgivings in the minds of the Scheduled Castes as to how the Cabinet Mission proposes to dispose of their demand for constitutional safeguards. As the situation is critical, I like to acquaint you with the reactions of the Scheduled Castes in this connection.

The omission to invite a representative of the Scheduled Castes to the Simla Conference is capable of many explanations. One explanation that appears to me to be plausible is that the demands of the Scheduled Castes are such that they do not require the consent of other parties in as much as they do not trench upon their legitimate rights. This is certainly so at least with regard to three of their demands, namely, (1) separate electorates, (2) proper representation in the Central Executive, and (3) undertaking from parties to accept certain general principles in regard to the safeguarding of the interest of the Scheduled Castes in the future constitution as a condition precedent for an interim Government.

That the demands of the Scheduled Castes do not require the consent of other parties is a view which I had urged very strongly upon the Mission in the course of my interview on the 5th of April 1946.

*Source : *Privately printed leaflet by Dr. Ambedkar.*—Ed.

The demand for Separate Electorates by a Majority Community as is the case of Muslims in the Punjab, N.W.F. Province, Sind and Bengal, stands on a different footing from the demand for Separate Electorates by a Minority Community such as the Scheduled Castes. A demand for Separate Electorates by a Majority Community must require the consent of the Minority Community. But the demand for Separate Electorates by a Minority Community can never be made dependent upon the wishes of the Majority Community. The Electorate is primarily a Mechanism devised for protecting a Minority against the Majority. That being so, whether the Electorate should be joint or separate must be left entirely to Minority to determine on the ground that the Minority knows what is best in its own interest. The Majority can have no say in the matter and must really accept the decision of the Minority. Following this up, the Hindus can have very little to say as to whether the Scheduled Castes should or should not have Separate Electorates.

The demand of the Scheduled Castes for Separate Electorates does not adversely affect any other community, not even the Hindus. That is why this demand is accepted by all other Communities. The contention of the Hindus that the Scheduled Castes are Hindus and therefore cannot have a Separate Electorates is simply purile and misses the essential point that Separate Electorates is really a mechanism for the protection of the minorities and has nothing to do with religion. If any evidence of this is necessary, one could refer to the case of Europeans, Anglo-Indians and Indian Christians who are all one by religion yet each have a Separate Electorate.

If the Cabinet Mission took these facts and arguments into consideration there would be nothing unnatural if it accepted the contention of the Scheduled Castes that the consent of the Hindus is not necessary and that it was entirely a matter for the Cabinet Mission to decide, particularly when it has been proved that Joint Electorates have made representation of the Scheduled Castes a farce.

The second demand of the Scheduled Castes that their representation in the Interim Government should be 50% of the representation granted to the Muslims is also a demand for which the consent of the Hindus is not necessary before it could be conceded. It is for the Mission to decide what representation the Scheduled Castes should

have in the Central Executive having regard to their numbers and the weight of the disabilities they are suffering from and the lee-way they have to make to bring themselves in line with other advanced communities. You will remember that this question was raised by me at the time of the last Simla conference and you were prepared to give two seats to the Scheduled Castes which was just a little less than 50 per cent, offered to the Muslims.

There is nothing new in the third demand. It is merely a reiteration of your own view which you expressed to Mr. Gandhi in your letter of 15th August 1944. In para 5 of that letter you said :—

"It is clear in these circumstances that no purpose will be served by discussion on the basis which you suggest. If, however, the leaders of the Hindus, the Muslims and the important minorities were willing to co-operate in a transitional Government established and working within the present constitution, I believe good progress might be made. *For such a transitional Government to succeed, there must, before it is formed, be agreement in principle between Hindus and Muslims and all important elements as to the method by which the new constitution should be framed."*

This principle which you enunciated must be presumed to have been made on behalf of His Majesty's Government and as such it must be binding on the Cabinet Mission. Consent of parties would seem to be quite unnecessary for the Mission to give effect to this principle, which is all that the Scheduled Castes have demanded.

If I may say so, these contentions have sufficient force to lead to the conclusion that Mission docs not think that the consent of the Hindus is necessary before it can pronounce upon the demands of the Scheduled Castes and that this is why the Scheduled Castes have not been invited to send their representatives to the Simla Conference.

But unfortunately this is not the only explanation that comes to one's mind. There is another explanation which is possible. It is that the Cabinet Mission regards an agreement between the Congress and the Muslim League enough to give them a clear line to proceed with the formation of the interim Constitution as well as for determining the machinery for shaping the future constitution of India without waiting to consider the case of the Scheduled Castes.

The Scheduled Castes are filled with anxiety as they do not know definitely what the plan of the Mission is. If the Mission has adopted the second plan, which may well be the fact, then I feel that I shall be failing in my duty if I did not lodge my protest against this betrayal of the Scheduled Castes and inform the Mission that they will be wholly responsible for the consequences that might ensue.

This letter is written by me in my capacity as a representative of the Scheduled Castes. It is addressed to you in your capacity as a Member of the Cabinet Mission. I shall be grateful if you will be so good as to circulate it to your colleagues.

I am,
Yours sincerely,
B. R. Ambedkar.

*His Excellency Field Marshal*
*The Right Hon'ble Viscount Wavell of*
*Cyrenaica and Winchester, SIMLA.*
*G.C.B., G.M.S.I., G.M.I.E., C.M.G., M.C.,*
*Viceroy & Governor General of India.*

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# 17

## * Members of the Executive Council to Field Marshal Viscount Wavell

[*L/P&J/5/337 : p. 248* ]

Top Secret NEW DELHI, *8th May 1946*

*Dear Lord Wavell,*

We, the undersigned members of the Executive Council of the Governor General of India, present today in New Delhi, believing that it would facilitate the arrangements which your Excellency and the Cabinet Mission have in view, hereby place our respective portfolios at the disposal of His Majesty and Your Excellency.

Yours sincerely,

A. RAMASWAMI MUDALIAR,

E.C, BENTHALL,

MD. USMAN,

B. R. AMBEDKAR,

J. P. SRIVASTAVA,

M. AZIZUL HAQUE,

N. B. KHARE,

ASOKA K. ROY,

A. ROWLANDS,

J. A. THORNE,

A. HYDARI.

[Addendum in oringinal:] (The three absent members—Field Marshal Sir Claude Auchinleck, Sir Arthur Waugh and Sir Jogendra Singh submitted their resignations separately. The War Member was in the United Kingdom, the Industries and Supply Member was on deputation in the United States and Education, Health and Agriculture Member was on tour.)

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* The Transfer of Power, Vol. VII, No. 218, pp. 460-61.

# 18

## Dr. Ambedkar to Rt. Hon'ble Mr. A. V. Alexander, Member, Cabinet Mission

* *Bhimrao R. Ambedkar,*
M. A., Ph. D., D. Sc, Barrister-at-Law,
Member, Governor General's
Executive Council.

22, Prithviraj Road, New Delhi.
*Dated, 14th May 1946*

**Dear Mr. Alexander,*

It is a pity that your efforts to bring about a settlement between the Congress and the League should have failed. I know you deserve every sympathy and every gratitude. At the same time, I cannot help saying that the Mission's effort to settle reminds me of an old Baniya who being without a son to inherit his wealth married a young girl with the hope of begetting a heir. The bride conceived but the bridegroom was striken with a fell-disease. He, however, refused to die without having a look at the baby and would not wait for delivery which was far off. He was so impatient that he called the doctor, asked him to open the stomach of his wife and let him see whether it was a boy or a girl. The result of the operation was that both the baby and the mother died. If I may say so, the Mission wanted to do very much what the Baniya did. You may not be aware but there are many who, like me, feel that the Mission was engaged in bringing about a forced delivery earlier than the natural period of gestation.

2. To my mind, it is only right to say that the Hindus and the Muslims are today mentally incompetent to decide upon the destiny of this country. Both Hindus and Muslims are just crowds. It must be within your experience that a crowd is less moved by material profit than by a passion collectively shared. It is easier to persuade a mass of

*Source : *Privately printed leaflet by Dr. Ambedkar.*—Ed.

men to sacrifice itself collectively than to act upon a cool assessment of advantages. A crowd easily loses all sense of profit and loss. It is moved by motives which may be high or low, genial or barbarous, compassionate or cruel, but is always above or below reason. The common sense of each is lost in the emotion of all. It is easier to persuade a crowd to commit suicide than to accept a legacy. It is not for me to advise you how you should proceed. The Mission has found greater wisdom and higher inspiration in the Bhangi Basti and in 10 Aurangazeb Road. I would be the last person to say anything in depreciation of such wisdom and inspiration. But I do think that if the Mission were not to exhibit the pathetic spectacle of an old man in a hurry, a phrase used by Chamberlain to describe Gladstone engaged in his campaign for Irish Home Rule and allow that in diplomacy is called 'Cooling period' they will find that they have an easier situation to deal with.

3. That is a matter for the Mission, for the major parties and those who have put their faith in the major parties. I am concerned in knowing how you propose to deal with the problem of the Untouchables and their demand for constitutional safeguards. In the official statement issued by the Mission on the last day of the Simla talks, it is said that the Mission will announce the next step it proposes to take within a few days after they return to Delhi. Obviously, the eyes of all the Scheduled Castes are turned towards this announcement. What the Mission will do will ultimately decide their fate. The decision of the Mission will either open to the Untouchables the path of life, liberty and pursuit of happiness or it will drive a nail in their coffin. The question being one of life and death it would not be wrong if I were to engage your attention for a few minutes with the problem of the Untouchables.

4. The problem of the Untouchables is a formidable one for the Untouchables to face. But fortunately it is simple to understand if only the following facts are borne in mind. The Untouchables are surrounded by a vast mass of Hindu population which is hostile to them and which is not ashamed of committing any inequity or atrocity against them. For a redress of these wrongs which are matters of daily occurence, the Untouchables have to call in the aid of the administration. What is the character and composition of this administration ? To be brief,

the administration in India is completely in the hands of the Hindus. It is their monopoly. From top to bottom it is controlled by them. There is no Department which is not dominated by them. They dominate the Police, the Magistracy and the Revenue Services, indeed any and every branch of the administration. The next point to remember is that the Hindus in the administration are not merely non-social, they are positively anti-social and inimical to the Untouchables. Their one aim is to discriminate against the Untouchables and to deny and deprive them not only of the benefits of law, but also of the protection of the law against tyranny and oppression. The result is that the Untouchables are placed between the Hindu population and the Hindu-ridden administration, the one committing wrongs against them and the other protecting the wrong-door instead of the victims.

5. Against this back-ground, what can Swaraj of the Congress variety mean to the Untouchables ? It only means one thing, namely, that while today it is only the administration that is in the hands of the Hindus, under Swaraj the Legislature and Executive will also be filled with Hindus. It goes without saying that Swaraj would aggravate the sufferings of the Untouchables. For, in addition to their having to face an hostile administration, the Untouchables will have to face an hostile or indifferent Legislature, a callous Executive and an administration uncontrolled and unbridled in venom and in harshness in its inequitious attitude towards the Untouchables. To put it differently, under Swaraj of the Congress variety, the Untouchables will have no way of escape from the destiny of degradation which the Hindus and Hinduism have fixed for them.

6. I hope this will give you some idea as to why the Untouchables have been insisting that the only way by which the Untouchables can prevent this Swaraj from becoming a calamity to them is to have their representatives in the Legislature so that they may keep on protesting against wrongs and injustices done to them by the Hindus, to have their representatives in the Executive so that they may make plans for their betterment and to have representatives in the services so that the administration may not be wholly hostile to them. If you accept the justice of the demand of the Untouchables for constitutional safeguards, you will have no difficulty in understanding why the

Untouchables want separate electorates. The Untouchables will be a minority in the Legislature. They are destined to remain a minority. They cannot overcome the majority which being communal in its making is, so to say, fixed and pre-ordained. All they can do is to place themselves in a position to be able to determine the terms on which they will be prepared to work with the majority and not be compelled to accept the terms prescribed by the majority, and secondly, if the majority refuses to work with them and declines to redress their wrongs, they would at least be free to utter their protest against the majority on the floor of the Legislature. How are the Untouchables to maintain their freedom to protest ? Only if their representatives in the Legislatures do not owe their election to the votes of the majority. This is the basis of their demand for separate electorates.

7. No safeguards are going to be of any value to the Untouchable sunless the Untouchables get a separate electorate. Separate electorate is the crux of the matter. I have before me a copy of the representation submitted to the Cabinet Mission by three Congress Harijans who were interviewed by the Mission on the 9th April 1946. They were no better than the three tailors of Tooly Street who had the audacity to present an address to the Parliament saying : "We the people of England". Apart from this, it is instructive to note that there is no difference between the demands put forth by me on behalf of the Scheduled Castes Federation and the demands put forth by these Congress Harijans. The only difference that exists relates to the question of electorates. I do not know how you interpret the demands of the Congress Harijans. They are not really demands. They represent what the Congress is prepared to give to the Untouchables by way of political safeguards. This is not merely my understanding. It is my knowledge. For I have been informed by persons who know the mind of the Congress that if I was prepared to accept joint electorates, the Congress on its part would be quite prepared to concede all other demands of mine. You must be wondering why should the Congress be prepared to concede all the demands of the Scheduled Castes and object only to one namely, separate electorates. There will be no wonder if you know what game the Congress is playing. It is a very deep game. Realising that there is no escape from giving the Untouchables some safeguards, the Congress wants to find out some way by which it can

make them of no effect. It is in the system of joint electorates that the Congress sees an instrument of making the safeguards of no effect. That is why the Congress is insisting upon joint electorates. For joint electorates means giving the Untouchables office without power. What the Untouchables want is office with power. This, they can only get through separate electorates and that is why they are insisting upon it.

8. I believe the case in favour of separate electorates for the Scheduled Castes is a cast-iron case. Every other party except the Congress accepts it. The arguments in favour of separate electorates have been set out by me in my letter of 3rd May 1946 addressed to Lord Wavell which he must have shown to you and it is therefore unnecessary to repeat them here. The question is : what the Mission is going to do with this demand of the Scheduled Castes. Are they going to make the Untouchables free from political yoke of the Hindus ? Or, are they going to throw them to the wolves by favouring the system of joint electorates in order to make friends with the Congress and the Hindu majority whom it represents ? The Scheduled Castes are entitled to ask His Majesty's Government that before the British abdicate, His Majesty's Government shall make sure that Swaraj does not become a strangle-hold for the Untouchables.

9. Allow me to say that the British have a moral responsibility towards the Scheduled Castes. They may have moral responsibilities towards all minorities. But it can never transcend the moral responsibility which rests on them in respect of the Untouchables. It is a pity how few Britishers are aware of it and how fewer are prepared to discharge it. British Rule in India owes its very existence to the help rendered by the Untouchables. Many Britishers think that India was conquered by the Clives, Hastings, Cootes and so on. Nothing can be a greater mistake. India was conquered by an army of Indians and the Indians who formed the army were all Untouchables. British Rule in India would have been impossible if the Untouchables had not helped the British to conquer India. Take the Battle of Plassey

which laid the beginning of British Rule or the battle of Kirkee which completed the conquest of India. In both these fateful battles the soldiers who fought for the British were all Untouchables.

10. What have the British done to these Untouchables who fought for them ? It is a shameful story. The first thing they did was to stop their recruitment in the army. A more unkind, more ungrateful and more cruel act can hardly be found in history. In shutting out the Untouchables from the Army the British took no note that the Untouchables had helped them to establish their rule and had defended it when it was menaced by a powerful combination of native forces in the Mutiny of 1857. Without any consideration as to its effects upon the Untouchables the British by one stroke of the pen deprived them of their source of livelihood and let them fall to their original depth of degradation. Did the British help them in any way to overcome their social disabilities ? The answer again must be in the negative. The schools, wells and public places were closed to the Untouchables. It was the duty of the British to see the Untouchables, as citizens, were entitled to be admitted to all institutions maintained out of public funds. But the British did nothing of the kind and what is worst, they justified their inaction by saying that untouchability was not their creation. It may be that untouchability was not the creation of the British. But as Government of the day, surely the removal of untouchability was their responsibility. No Government with any sense of the functions and duties of a Government could have avoided it What did the British Government do ? They refused to touch any question which involved any kind of reform of Hindu society. So far as social reform was concerned, the Untouchables found themselves under a Government distinguished in no vital respect from those native Governments under which they had toiled and suffered, lived and died, through all their weary and forgotten history. From a political standpoint, the change was nominal. The despotism of the Hindus continued as ever before. Far from being curbed by the British High Command, it was pampered. From a social point of view, the British accepted the arrangements as they found them and preserved them

faithfully in the manner of the Chinese tailor who, when given an old coat as a pattern, produced with pride an exact replica, rents and patches and all. And what is the result ? The result is that though 200 years have elapsed since the establishment of the British Rule in India the Untouchables have remained Untouchables, their wrongs remained unredressed and their progress hampered at every stage. Indeed if the British Rule has achieved anything in India it is to strengthen and reinvigorate Brahmanism which is the inveterate enemy of the Untouchables and which is the parent of all the ills from which the Untouchables have been suffering for ages.

11. You have come here to announce that the British are abdicating. It cannot be wrong for an Untouchable to ask "to whom are you leaving this legacy of authority and power ?" To the protagonist of Brahmanism, which means to the tyrants and oppressors of the Untouchables. Such a method of liquidating the British Empire in India need not raise any qualms of conscience among members of other parties. But what about the British Labour Party ? The Labour Party claims to stand for the unprivileged and the down-trodden. If it is true to its salt, I have no doubt that it will stand by the sixty millions of the Untouchables of India and do everything necessary to safeguard their position and not allow power to pass into the hands of those who by their religion and their philosophy of life are unfit to govern and are in fact the enemies of the Untouchables. It will be no more than bare act of atonement on the part of the British for the neglect of the Scheduled Castes whose trustees they always claimed to be.

12. What has led me to unburden myself at such length is the anxiety caused by the apparent silence of the Mission over the question of constitutional safeguards raised by the Untouchables. This anxiety has been deepened by the attitude taken by the Mission towards the pledges given to the Untouchables and to the minorities by His Majesty's Government. The attitude of the Mission in regard to these pledges reminds one of Lord Palmerston who said, "We have no permanent enemies; we have no permanent friends; we have only permanent interest." You can well imagine what a terrifying prospect it would

present to the Untouchables if the impression was created that the Mission was adopting this Palmerston maxim as its guide. You came from the under-privileged classes of Great Britain and I have full faith that you will do your best to prevent a possible betrayal of the 60 millions of India's under-privileged. That is why I have thought of placing their case before you. If you will allow me to say, the Untouchables have got a feeling that they have no greater friend in the Mission than yourself.

I am,

Yours sincerely,

B. R. Ambedkar.

The Rt. Hon'ble Mr. A. V. Alexander,
C.H.M.P., Member, Cabinet Mission,
Viceroy's House,
New Delhi.

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# 19

## Dr. Ambedkar *to* Lord Pethick-Lawrence

[*L/P&J/10/43 :f/196-8*]

22, Prithviraj Road, New Delhi,
*22 May 1946*

**Dear Lord Pethick-Lawrence,*

In reading the statement issued by the Cabinet Mission I have found that on certain points there is much ambiguity. They are set out below:—

(1) Whether the term "minorities" in paragraph 20 of the statement includes the Scheduled Castes ?

(2) Paragraph 20 lays down that the Advisory Committee on the rights of citizens, minorities and tribal and excluded areas should contain full representation of the interests affected. Who is to see whether the Advisory Committee does in fact contain full representation of the interests affected ?

(3) Whether, in order to see that there is full representation of the interests affected, H.M.G. propose to reserve to themselves the right to add to the Committee by nomination of persons from outside the Constituent Assembly representing such interests ? The necessity for nomination from outside seems to be essential, for otherwise there is no other method for securing representation of tribal and excluded areas from within the Constituent Assembly. If the necessity for nomination is admitted, will the principle of nomination of members of the Scheduled Castes from outside the Constituent Assembly be extended to secure full representation of the Scheduled Castes on the Advisory Committee ?

(4) In paragraph 22 of the statement there is a provision for a treaty between the Union Constituent Assembly and the United Kingdom providing for certain matters arising out of the transfer of power. Will

* The Transfer of Power, Vol. VII, No. 359, pp. 661-62.

this proposed treaty include a provision for the protection of the minorities as was stipulated in the Cripps proposals ? If the Treaty is not to have such a provision, how does H.M.G. propose to make the decisions of the Advisory Committee binding on the Constituent Assembly ?

(5) The statement includes Europeans under the category of "General". From this it may be presumed that the Europeans will have the right to vote for the election of representatives to the Constituent Assembly. Are the Europeans entitled to put up Europeans as candidates for the election of the Constituent Assembly ? This is not made clear in the Statement.

These are questions which require clarification. I shall feel grateful if you will be so good as to favour me with your answers to them. I am leaving Delhi tonight for Bombay. Any reply that you may like to make to the questions set out above may kindly be sent to my address in Bombay, which is given below.

(Address: Saloon No. 27, Central Station,

B. B. & C. I. Railway, Bombay).

Yours sincerely,

B. R. Ambedkar

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# 20

## * Lord Pethik-Lawrence to Dr. Ambedkar

*[L/P&J/5/337 : pp. 371-2]*

*28 May 1946*

Thank you for your letter of the 22nd May[@] in which you ask for elucidation of certain points in the recent Statement

You will appreciate that the object of the Delegation is to set up machinery whereby Indians can frame their own constitution for an independent India. The object of our Statement is to provide a basis on which the parties can come together for that purpose and we hope that it will be accepted and worked by all concerned. We have limited our Statement to the minimum which seemed to us necessary for that purpose. Other matters which arise will fall to be decided by the Constituent Assembly.

It is certainly our intention that the term "minorities" in paragraph 20 of the Statement includes the Scheduled Castes. On the other hand, it will be for the Constituent Assembly itself to set up the Advisory Committee and we assume that it will desire that it should be fully representative.

It is not our intention to interfere with the Constituent Assembly. The personnel of the Advisory Committee is not however limited by our Statement to persons who are members of the Constituent Assembly.

I think your other questions arc largely covered by the further Statement† which was issued by the delegation on Saturday evening and of which I enclose a copy.

Mr. Alexander has asked mc to acknowledge and thank you for your letter[#] which you sent him recently. He is away from Delhi for a few days on a visit to Ceylon and will reply to you on his return.

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* The Transfer of Power, Vol. VII, No. 399, p. 723.

[@]No. 359. †No. 376. [#]Not traced in India Office Records.

# 21

## * Rao Bahadur Sivaraj to Field Marshal Viscount Wavell

*L/P&J/5/337 : pp. 410-13*

*5 June 1946*

No. 592/73/43

A meeting of the Working Committee of the All-India Scheduled Castes Federation was held in Bombay on 4th June 1946 under my Chairmanship to consider the situation arising out of the proposals made by the Cabinet Mission regarding the future constitution of India. The Working Committee has passed a Resolution which they have asked me to send to the Members of the Cabinet Mission for their consideration. In pursuance thereof, I am enclosing herewith a copy of that Resolution. I shall be grateful to know from the Cabinet Mission if they have anything to say in regard to the demands contained in paragraph 6 of the Resolution.

*Enclosure to No. 454*

THE ALL-INDIA SCHEDULED CASTES FEDERATION
RESOLUTION PASSED AT THE MEETING OF THE WORKING COMMITTEE HELD AT BOMBAY ON 4TH JUNE 1946

The Working Committee of the All-India Scheduled Castes Federation has taken into consideration (1) the first statement issued by the Cabinet Mission on the Constitution of India; (2) the Press interviews given by the Members of the Mission in amplification of their statement; (3) the second statement made by the Cabinet Mission and (4) the correspondence between the Cabinet Mission and the Hon'ble Dr. B. R. Ambedkar. There are many points arising from the statement of the Cabinet Mission on which the Working Committee

* The Transfer of Power, Vol. VII, No. 454, pp. 808-12.

would like to state its views. For the present, the Working Committee prefers to deal with the plan of the Cabinet Mission for framing the future Constitution of India in so far as it affects the Scheduled Castes.

2. The working Committee has noticed with profound indignation that the Cabinet Mission has not mentioned the Scheduled Castes even once in the course of their statement of 5,000 words. It is difficult to understand the working of the mind of the Cabinet Mission. The Mission could not have been unaware of the existence of the Untouchables, their disabilities, the tyrannies and oppressions practised upon them day to day by the Caste Hindus all throughout India. The Cabinet Mission could not have been unaware of the pronouncements made by His Majesty's Government that the Untouchables were separate from the Caste Hindus and constituted a distinct element in the national life of India. The Cabinet Mission could not have been unaware of the pledges given by His Majesty's Government that no Constitution which had not the consent of the Scheduled Castes would be imposed upon them. The Cabinet Mission could not have been unaware of the fact that at the Simla Conference convened by Lord Wavell only a year ago, the Scheduled Castes were given separate representation from the Caste Hindus. Having regard to these circumstances, the Working Committee feels no hesitation in saying that in ignoring the Scheduled Castes in the manner in which it has done, the Cabinet Mission has brought the name of the British nation into disgrace and disrepute.

3. The Working Committee has noticed the statement made by the Cabinet Mission in the course of the Press interviews that they have made double provision for the representation of the Scheduled Castes in the Constituent Assembly and in the Advisory Committee. The Working Committee feels bound to say that these provisions are absolutely illusory and unworthy of serious consideration. In the plan set out by them the Mission have not reserved any seat for the Scheduled castes in the election by the Provincial Legislatures to the Constituent Assembly as they have done for the Sikhs and the Muslims. There is no obligation on the Provincial Legislature to elect a specified number of Scheduled Caste members to the Constituent Assembly. It is quite possible that the Constituent Assembly may not have in

it any representative of the Scheduled Castes. And even if a few representatives of the Scheduled Castes should find place in the Constituent Assembly, they being elected by Hindu votes, they can never represent the true interests of the Scheduled Castes. As to the Advisory Committee it cannot be substantially different from the Constituent Assembly. It will only be a reflection of the Constituent Assembly.

4. The Working Committee finds it extremely difficult to understand how the cabinet Mission could have come to believe that they had made enough and good provision for giving effective voice to the Scheduled Castes in the Constituent Assembly and the Advisory Committee. Abundant and incontrovertible evidence was presented to the Mission to show that the real representatives of the Scheduled Castes arc those who were elected in the primary elections for which the Scheduled Castes have separate electorates, that the present Scheduled Caste members of the Provincial Legislatures who fought the primary elections were at the bottom of the poll and that on account of the vicious system of joint electorates the men who were at the bottom in the primary elections came to the top in the final elections only because of the Caste Hindu votes and that therefore the Scheduled Caste members of the Provincial Legislatures in no way represent the Scheduled Castes but they are tools of the Caste Hindus. Far from making double provision for representing the Scheduled Castes in the Constituent Assembly and the Advisory Committee, the Mission has without compunction ignored this unimpeachable evidence and without any justification committed the gravest act of treachery in leaving the Scheduled Castes to the mercy of the Hindus. The Working Committee desires to inform the Mission that the Scheduled Castes are not impressed either by their logic or by their sense of moral responsibility.

5. While the whole plan of the Cabinet Mission is mischievous inasmuch as it proposes to solve the minority problem by allowing freedom to the Muslim majority to dispose of the non-Muslim minorities in the Muslim zone and the Hindu majority to dispose of the non-Hindu minorities including the Scheduled Castes in the Hindu zone, the Working Committee finds that the Cabinet Mission in framing

its plan has shown greater concern for the protection of the Muslim community than for safeguarding the interests of the Scheduled Castes. In paragraph 15 of their plan the Cabinet Mission have prescribed what matters are to be beyond the reach of the Constituent Assembly. The object behind this provision in paragraph 15 is to prevent the domination of the Muslim community by the Hindu community. The fear which the Scheduled Castes have of the Hindu majority is far greater and far more real than the Muslim community has or can have. The Scheduled Castes have been urging that the only effective protection they can have is representation through separate electorates and the provision for separate settlements. The Cabinet Mission were aware of these demands and all the evidence in support of them. Following the principle adopted by the Cabinet Mission to guarantee freedom to the Muslim community from the domination of the Hindu majority in the manner referred to above, it was possible for the Cabinet to lay down in the same paragraph 15 a further limitation on the powers of the Constituent Assembly by prescribing that the Scheduled Castes should have the right to be represented in the Legislatures through separate electorates, and to have a statutory provision for separate settlements as means of escape from the domination of the Hindu majority.

6. The Working Committee has noted that the Cabinet Mission has, in its second statement,* provided that the ratification of the treaty between the United Kingdom and the Indian Constituent Assembly will be subject to proper safeguards being made for the protection of the minorities including the Scheduled Castes. The Cabinet Mission in its hurry to placate the Congress Party had not dared to include this provision in clause 22 of its first statement although it had formed part of the Cripps proposals of 1942. While the Working Committee is glad that the Mission has retrieved its position and saved the honour of the British people in whose name pledges were given to the Scheduled Castes, the Working Committee demands that the plan of the Cabinet Mission should be amended in the following respects :

(1) The following clauses should be added as clauses (7) and (8)

* No. 376.

to paragraph 15 of the statement:

"(7) The Scheduled Castes should have the right to be represented in the Legislatures through separate electorates.

(8) That the Constitution shall contain a provision making it obligatory on the Government to undertake the formation of separate settlements for the Scheduled Castes."

(2) Paragraph 20 of the first statement should be so amended as to make those members of the Scheduled Castes who topped the polls in the last primary elections, members of the Advisory Committee and be allowed to elect five other representatives of the Scheduled Castes to the Advisory Committee.

7. The Working Committee desires to inform His Majesty's Government and the British Labour Party that they should prove their sincerity towards the Scheduled Castes by proceeding at once to rectify the wrong done to them by the Cabinet Mission. Failing this, there will be no alternative for the Scheduled Castes but to resort to direct action. If circumstances require, the Working Committee, in order to save the Scheduled Castes from this impending catastrophy, will not hesitate to ask the Scheduled Castes to resort to direct action.

8. The Working Committee is aware of the panic caused among the Scheduled Castes by the Plan put forth by the Cabinet Mission. The Working Committee desires to tell the Scheduled Castes to maintain the courage and heroism they have shown in fighting the last elections against the Congress single-handed and without resources in spite of the acts of violence, coercion and arson practised by the Congress and when every other Party had shut its shop, and assures them that there is no reason to be panicky and given courage and solidarity, their cause which is the case of justice and humanity is bound to triumph notwithstanding the machinations of their enemies.

9. The Working Committee hereby authorizes the President to constitute a Council of Action charged with the duty of examining the lines of direct action and to determine the one most effective and fix the time for launching the same.

10. The Working Committee has noticed :

(1) the campaign of tyranny and oppression which is being carried on by Caste Hindus against the Scheduled Castes in villages

and towns throughout the length and breadth of India for no other reason except that they fought the elections against the Congress, and which has caused many deaths and injuries ;

(2) the shameful part which the Hindu police have been playing in siding with the Caste Hindus in belabouring and arresting innocent men and women from among the Scheduled Castes ;

(3) the unlawful part which the rationing officers are playing as partisans of the Congress in refusing to the Scheduled Castes supply of rations;

(4) the conspiracy of silence observed by the newspapers who have never cared to condemn these outrages on innocent men and women;

(5) the utter indifference shown by the Provincial Government in protecting the lives and properties of the Scheduled Castes.

The Working Committee cannot help feeling that this conduct of the majority community proves beyond the shadow of a doubt how unworthy the Hindu community is to be entrusted with power and that if the majority community does not improve its morality, the Scheduled Castes would be forced to protect themselves by every means open to them.

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# 22

## * Mr. Attlee to Dr. Ambedkar

Paris, *1st August 1946*

*My dear Ambedkar,*

I have carefully considered your letter of July 1st and the papers enclosed.@

I am afraid that I cannot accept the view that the Cabinet Mission and the Viceroy were unjust to the Scheduled Castes. The reason why they have revised the policy followed at the Simla Conference of 1945 is, as you suggest, the result of the elections to the Provincial Legislatures, which were held last spring. The Mission made a careful study of the voting figures and I have examined them myself. We appreciate that there are grounds for the view that the present electoral system does not do justice to those Scheduled Caste candidates who are opposed to Congress. On the other hand, I do not find that the

* Transfer of Power, Vol. VIII, No. 105, pp. 170-72.

@ On 1st July Dr. Ambedkar sent Mr. Attlee a lengthy letter with which he enclosed copies of recent correspondence, a memorandum, a speech and some other items. Dr. Ambedkar's letter was in continuation of a telegram he had sent Mr. Attlee on 17th June and covered similar ground. The telegram read :

> 'At time of last year's Simla Conference, Viceroy on my protest and with consent of Home Government promised increase Scheduled Castes' representation in Interim Government to two seats in Council of 14. I had demanded three. Compromise I accepted two. New Proposals Interim Government announced yesterday give Scheduled Castes only one seat. This gross breach of solemn promise given after due deliberation. One seat most unfair. Mission is treating sixty million Untouchables as being equal to four millions Sikhs, three million Christians in matter of representation. Scheduled Caste nominee does not represent Scheduled Castes, is elected entirely by Hindu votes and is creature of Congress. Representation to Scheduled Castes Congressman is no representation to Scheduled Castes. It is representation to Congress. Cabinet Mission heaping upon Scheduled Castes one wrong after another, bent on sacrificing them with view appease Congress and destroying their independent position in public life country. Please intervene and redress wrong by directing Mission to give Scheduled Castes two seats to be filled by nominees of Federation which Mission knows alone represents Scheduled Castes. Scheduled Castes insist on two seats or none. To avoid misunderstanding of my motive I like to state that I have no desire to be in Interim Government and will stand out Am fighting for rights of Scheduled Castes. Hope there is some sense of justice left in British Government—Ambedkar'.

[L/P&J/10/50 : ff 81-3 and Attlee Papers, University College, Oxford.]

figures substantiate what you say about the achievements of candidates belonging to your Federation at the primary elections.* While I do not propose to go into the matter in detail here the facts are that primary elections were held in only 43 of the 151 seats reserved for the Scheduled Castes. Of these 43 primary elections, the Scheduled Castes Federation contested 22 and topped the poll in only 13.

In your letter you make three specific requests.@ As regards the first, His Majesty's Government are anxious that the Constituent Assembly should have the fullest possible freedom of action consistent with the terms of the Cabinet Mission's Statements of May 16th and May 25th. We ourselves of course consider the Scheduled Castes to be an important minority which should be represented on the Minority Advisory Committee. But the declaration for which you ask could not be confined to the Scheduled Castes and would have to be a statement of all the elements who we consider should be included as Minorities in the Advisory Committee. Even though it would be only an expression of opinion on the part of His Majesty's Government, it would inevitably be interpreted as an attempt to interfere with the Assembly's freedom and as such would be likely to cause serious resentment. In these circumstances I cannot believe that such a declaration would be of value to the cause of the Scheduled Castes.

Turning to your second request, I do not find that my speech in the House of Commons on March 15th last contained the words which you attribute to me.† What I said was "We are very mindful of the

* In his Idler of 1st July Dr. Ambedkar wrote that : 'That results of the Primary Elections— wherever they took place in India—proved that the candidates put up by the Federation came to the top and those put up by the Congress went down to the bottom.' L/P&J/10/50 : f 81.

@ These were :

(1) To state openly that His Majesty's Government holds that the Scheduled Castes are a minority within the meaning of paragraph 20 of the Cabinet Mission's Statement.

(2) That His Majesty's Government will see that satisfactory safeguards which will enable them to live free from the fear of the Majority are provided for the Scheduled Castes before it agree to sign the Treaty for cessation of sovereignty.

(3) That in the Interim Government the Scheduled Castes should have at least two representatives which should be the nominees of the Scheduled Castes Federation.

*Ibid.,* : f 82.

† Dr. Ambedkar had noted that the Cabinet Mission had already made the point that there must be adequate provision for the protection of the minorities. His second request would be met if there were added to this statement the words : 'safeguards which will enable the Scheduled Castes to live free from the fear of the Majority.' These were words, Dr. Ambedkar claimed, which Mr. Attlee himself had used in his speech on 15th March. *Ibid.*

rights of minorities and minorities should be able to live free from fear." This remains the view of His Majesty's Government, which found expression in paragraph 4 of the Cabinet Mission's Statement of May 25th. I do not consider that His Majesty's Government would be wise to make at this stage any further pronouncement elaborating what was said in that paragraph.

Your final request is that in the Interim Government the Scheduled Castes should have at least 2 representatives who should be nominees of the Scheduled Castes Federation. I regret that I cannot hold out any hope of this being possible.

I was very glad to see that you had been elected to the Constituent Assembly.

C. R. A.

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# 23

## * Dr. Ambedkar to Mr. Attlee

[*L/P&J/10/50 :f 55*]

"Rajgraha"

Dadar, Bombay 14

*12th August 1946*

My dear Attlee,

Thank you for your letter of the 1st August 1946.1 did not expect you to find time to reply to my letter of the 1st July 1946.1 am therefore grateful to you for your having found time to let me know your views about the points that I had raised in my letter.

2. I am afraid I cannot accept your justification for the revision of the policy followed by His Majesty's Government in the Simla Conference of 1945 nor of the Mission's method of treating the Scheduled Castes. I cannot help saying that Mr. Alexander's statement in the House of Commons that the majority of the Scheduled Castes are with the Congress is an atrocious statement and has no foundation in truth. This is not only my view but the view of every Englishman in India. If you only consult Sir Edward Benthall who is now in England, I am sure he will support me.

3. With regard to the analysis you have given of the result of the achievements of the Federation in the Primary Election, all I can say is that you have misunderstood the situation and I am afraid no outsider who does not know the significance of the facts or the method of the election will be able to understand what they mean without proper explanation. The main ground of my charge against the Mission is that when the other side of the picture were (was) presented by the Congress, it was their bounden duty to have called me and to have asked for an explanation. This, the Mission did not do, which they

* The Transfer of Power, Vol. VIII, No. 142, pp. 221-23.

were in justice bound to do. If I had failed to give them satisfactory explanation then they would have been justified in the conclusion to which they came. That the Mission was grossly misinformed is proved by my election to the Constituent Assembly from Bengal. The Cabinet Mission stated in the House of Commons that my influence was confined to Bombay and C.P. How is it then that I was elected from Bengal ? In connection with my election, I would like to impress upon you three facts: One is that I did not merely scrape through but I came at the top of the poll beating even Mr. Sarat Chandra Bose, the topmost Bengalee leader of the Congress Party. Secondly, I am in no way connected by communal ties with the Scheduled Castes community of Bengal. They are of different caste to which I belong. In fact the people of my caste do not exist in Bengal at all and yet the Bengalee Scheduled Castes supported me, so strongly that I was able to come first. Thirdly, though the Scheduled Castes in Bengal had been returned on the Congress ticket yet they broke the rule of their Party not to vote for anybody except for Congressmen and voted for me. Does this prove that I have no following in Bengal ? I am sure if the Cabinet Mission are honest in their conclusion, they ought to revise the erroneous opinion which they have expressed in the House of Commons and revise the view and give proper recognition to the Federation.

4. With regard to the status of the Scheduled Castes in the Minority Advisory Committee, I am glad to have an assurance that the British Cabinet considers the Scheduled Castes to be an important minority. I am afraid that I must again repeat that unless and until the Cabinet Mission were to make a public declaration, this view will not help the Scheduled Castes. I say this because, as you will see, (in) the last letter which Maulana Abul Kalam Azad wrote to the Viceroy on behalf of the Congress before the negotiations broke down, he emphatically challenged the view that the Scheduled Castes were a minority. The Scheduled Castes fear that if this view is not corrected by the British Cabinet in time, the Scheduled Castes' case may not be considered in the Advisory Committee which is bound to be packed by Congressmen. The danger of their being relegated to the position of a social group within the Hindus as distinguished from a minority, appears to be most certain in view of the recent pronouncement of

Mr. Gandhi who evidently thinks that he can now do anything he likes with the Scheduled Castes in view of the fact that the British Government have refused to lend them their support.

5. In these circumstances, I would press upon you to reconsider the matter and make a declaration that the Scheduled Castes are an important minority to avert a possible danger to their future position in the new Constitution.

6. I am sorry to read that you cannot hold out any hope of the Schdduled Castes getting two seats in the Interim Government. I do not see any justification for this denial. Both on the ground of their numbers and also as compared to the assurance given at the time of the last Simla Conference of 1945, they are entitled to better treatment than is proposed to be given to the Sikhs and other smaller minorities. I should think that the claim made by me was more than justified.

With kind regards,

Yours sincerely,

B. R. AMBEDKAR.

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# 24

## * Lord Pethick-Lawrence to Mr. Attlee

*L/P&J/10/50 : ff 38-40*

India Office, *3 September 1946*

Secretary of State's Minute : Serial No. 48/46

Prime Minister,

You asked for my views on Ambedkar's letter to you of the 12th August. @

2. As regards his second paragraph you will find an analysis of the election results for the Depressed Classes in the memorandum which my Private Secretary sent to yours on the 26th July† with the draft reply to Ambedkar's previous letter. Shortly, the facts are that in the primary elections which were contested, Congress polled more votes than Ambedkar's Organisation, while a still larger proportion were polled by Independent candidates who may or may not be supporters of Ambedkar. But apart from this, two-thirds of the seats were won by Congress unopposed. The figures are, of course, not conclusive but it is not justifiable to say that the First Lord's statement in the Commons has "no foundation in truth," though I think it was rather too positive.

3. As regards paragraph 3 of Ambedkar's letter, it was not stated in the House of Commons that his influence was confined to Bombay and Central Provinces. He is referring to the President of the Board of Trade's speech, in which the actual words used were "Dr. Ambedkar's Organization is somewhat more local in its character (than the Congress Organization) being mainly centred in Bombay and the Central Provinces". I have made enquiries as to what happened in the Bengal Election to the Constituent Assembly which is, of course, by proportional representation. Ambedkar got five first preference votes.

* The Transfer of Power, Vol. VIII, No. 250, pp. 411-12.

@ No. 142.

† L/P& J/10/50 :ff 63-9

Sarat Chandra Bose also received five first preference votes. The quota for election in Bengal was four votes. Naturally the Congress would organize their voters to secure as nearly as possible four first preferences for each of their candidates. The phrase "top of the poll" has really no meaning in a proportional election. No-one denies that Ambedkar has influence among some of the depressed classes in Bengal. There are twenty five Scheduled Caste members of the Bengal Assembly, four of whom were returned as Independents and one as an Ambedkar candidate. I do not know whether all the Independents voted for Ambedkar in the Constituent Assembly election or whether he got some Anglo-Indian votes.

4. With regard to Ambedkar's paragraph 4. I am convinced that we cannot make a public declaration that we regard the Scheduled Castes as a minority who should be represented in the Minority Advisory Committee. It is correct, of course, that Congress do not regard them as a minority for the purpose of separate political representation, whereas we have always done so. But we are not in a position to secure that Ambedkar's organization is represented on the Minorities Advisory Committee.

5. I do not think it is really essential to send a reply to Ambedkar but should it seem to you more courteous to do so I attach a short draft.* In case you wish to see them, I attach also extracts@ from the speeches by the First Lord and the President of the Board of Trade in the Commons' Debate. My own speech contained a passage similar to the latter but rather shorter.

PETHICK-LAWRENCE.

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* Not printed. Mr. Attlee does not appear to have sent a reply to Dr. Ambedkar.

@ Not printed.

# 25

## * Lord Pethick-Lawrence to Mr. Attlee

*L/P &J/10/50 :ff 28-32*

India Office, *9th September 1946*

Secretary of State's Minute : Serial No. 51/46

Prime Minister.

Your personal minute No. M. 296/46 of September 4th,@ regarding the representation of the Scheduled Castes on the Advisory Committee of the Constituent Assembly.

2. It certainly was the Mission's intention that the Advisory Committee should contain representation of the Scheduled Castes and I informed Ambedkar of this by a letter # I wrote to him in India. In the third paragraph of your reply to him of 1st August† you explained to Dr. Ambedkar that, while H.M.G. themselves consider the Scheduled Castes an important minority which should be represented on the Minority Advisory Committee, they could not accede to his request for a public declaration to this effect, since any such declaration

(a) would also have to specify all the other elements which H.M.G. consider should be included as minorities in the Advisory Committee; and

(b) would be liable to be interpreted as an attempt to interfere with the Constituent Assembly's freedom of action.

3. The position, however, is that we have left the composition of the Advisory Committee to be decided by the Constituent Assembly and we cannot now prescribe it ourselves. I do not think we can be accused of misleading the House as the position was clearly stated in the President of the Board of Trade's speech on 18th July of which the relevant passage was attached to my Minute to you of 3rd September.‡

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* Transfer of Power, Vol. VIII, No. 288, pp. 466-68.

@ No. 253. *(Refers to S. No. in The Transfer of Power.*—Ed.).

# No. 399, Vol. VII. *(See P. 502.*—Ed.).

† No. 105, Vol. VIII. *(See P. 509.*—Ed.).

‡ No. 250. *(See P. 515.*—Ed.).

4. The controversy on the question whether the Scheduled Castes constitute a minority for the purpose of separate political representation or whether they should be classed with the Hindus has of course a long history. Gandhi has spent a large part of his life in propagating the latter view. But when I said, in paragraph 4 of my minute of September 3rd, that Congress did not regard the Scheduled Castes as a minority for the purpose of separate political representation, I had particularly in mind the passage in Azad's letter to the Viceroy of June 25th* (some-weeks after our Statement of May 16th) to which Dr. Ambedkar has referred in both his letters@ to you. In this Azad said that Congress "repudiated the view that the Scheduled Castes are a minority and considered them as integral parts of Hindu society" (second paragraph on page 23 of Cmd. 6861). This statement had reference to the Viceroy's assurance to Mr. Jinnah# that he would consult the main parties before filling any vacancy among the seats in the Interim Government allotted to representatives of minorities. It was not altogether unnatural that Congress should regard the Scheduled Castes as their own responsibility and object to the Muslim League having a say in the appointment of a Scheduled Caste representative.

5. There is no positive reason to think that Congress will not wish to include in the Advisory Committee Scheduled Caste representatives in adequate numbers. They will be concerned to escape criticism both in India and abroad; and they are most anxious to win over to their own ranks, or at least to conciliate, as large a proportion as possible of the Scheduled Castes, if only to prevent them from allying themselves with the Muslim League. The Committee is to deal with the rights of *citizens* as well as with those of minorities, so that inclusion of Scheduled Caste representatives need not prejudice the question whether they arc or are not a minority. On the other hand, there is no guarantee that Dr. Ambedkar or any other member of the Scheduled Castes who opposes Congress will secure a place on the Committee.

6. I still feel that we should not volunteer a pronouncement in response to Dr. Ambedkar's request for a public declaration that the Scheduled Castes are a minority within the meaning of paragraph 20 of

* Vo. VII, No. 603. (Transfer of Power).

@ *See* footnotes to No. 105 and No. 142. (Transfer of Power).

# Vo. VII, No. 573. (Transfer of Power).

the Mission's Statement of May 16th. To do so would almost certainly arouse a controversy with Gandhi which might result in Congress opposing their inclusion as a demonstration. Even if we did not say that the Scheduled Castes are a minority but only that they should be included on the Committee, our statement would arouse requests for a similar statement in favour of the Anglo-Indians and others, and would be interpreted as interference with the Constituent Assembly, which is what we are most anxious to avoid. There is no possibility that such a declaration would influence Congress to give the Scheduled Castes better treatment in the Advisory Committee than they would otherwise do, nor would it help Dr. Ambedkar, since it would refer simply to the Scheduled Castes, making no distinction between those who favour Congress and those who do not.*

PETHICK-LAWRENCE

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* Mr. Attlee noted on this Minute : 'No further action.' Atlee Papers, University College, Oxford.

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# SECTION III

## STATEMENTS

# 1

# *A Critique of the Proposals of the Cabinet Mission for Indian Constitutional Changes in so far as they affect the Scheduled Castes (Untouchables)*

***by***

**B.R. AMBEDKAR**

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# * Does the Indian National Congress Represent the Scheduled Castes (Untouchables) of India ?

The Cabinet Mission sent out to India by the Labour Government early this year to resolve the political deadlock in India set out a Scheme for the framing of the constitution by a Constituent Assembly. This Constituent Assembly is to be composed of representatives chosen by the members of the Provincial Legislatures by a single transferable vote. For the purposes of the composition of the Constituent Assembly the Cabinet Mission's Scheme has divided the members of the provincial legislatures into three categories (1) Muslems, (2) Sikhs and (3) General, each with a fixed quota of seats. Each category has a separate electorate whereby the Muslem representatives of the Constituent Assembly will be elected by the Muslem members of the Provincial Legislature, the Sikhs by the Sikh members and the General by all the rest. The 'general' includes (1) Hindus, (2) Scheduled Castes, (3) Indian Christians, and (4) Anglo-Indians.

2. The Scheduled Castes of India were greatly surprised to find that they were lumped together with the Hindus. It has been declared time and again by His Majesty's Government that His Majesty's Government recognizes that the Scheduled Castes are separate element in the national life of India and that His Majesty's Government will not impose any constitution to which the Scheduled Castes are not a willing party. The question is asked why the Cabinet Mission recognized the Muslems and the Sikhs as separate elements and why they refused to give the Scheduled Castes the same status ?

In the debate that took place in Parliament on the 18th of July, on the proposals of the Cabinet Mission, Sir Stafford Cripps, Mr. Alexander and Lord Pethick-Lawrence tried to defend themselves against this criticism, Their argument was two-fold :—

(1) That in the elections to the Provincial Legislature which took

* *Source : Printed booklet.*—Ed.

place in February last the seats reserved for the Scheduled Castes were captured by the Congress and that this shows that the Scheduled Castes were with the Congress and trusted their destiny to the Congress i.e. the Hindus and that there was no ground for separating them.

(2) That there is to be an Advisory Committee on the minorities in which the Scheduled Castes will be represented and will have a voice in the framing of the safeguards necessary for them.

The second defence is worse than useless. The reasons are obvious. The status and powers of the Advisory Committee are not defined. The quantum of representation of the Scheduled Castes is not prescribed. The decisions of the Advisory Committee are left to be carried by a bare majority. Lastly the Advisory Committee cannot be anything else than a mere reflection of the Constituent Assembly. The representatives of the Scheduled Castes in the Constituent Assembly all belong to the Congress Party and they do not represent the Scheduled Castes. They are therefore subject to the Mandate of the Congress Party. Those of them who will be put in the Advisory Committee will be subject to the same Party Mandate. They cannot put forth the real point of view of the Scheduled Castes either in the Constituent Assembly or on the Advisory Committee.

The principal line of defence used by the members of the Cabinet Mission in justification of their failure to give the Scheduled Castes separate and independent representation is that the Congress won the Scheduled Caste seats in the last election. Even this line of defence cannot stand. It is true that in the *final* election the Congress did capture the Scheduled Caste seats. But the reply is that this election results should not have been taken as the test for various reasons.

*Firstly* the parties such as the Scheduled Castes who had co-operated with the British Government were at a discount with the people on that very account.

*Secondly* the trial of the Indian National Army men which synchronized with the election placed the Congress at an advantage

and other parties at a disadvantage. If the Indian National Army trial had not been staged at the time of the election the Congress would have lost completely, so low was its stock.

Apart from these two reasons why the election results should not have been as a test, there is a special reason why it should not have been taken to determine whether the Congress did or did not represent the Scheduled Castes. That reason is that the final elevation for the Scheduled Castes seats is by a system of joint electorate in which the Hindus also vote. The Hindus vote being preponderent it is easy for the Congress to elect a candidate belonging to the Scheduled Castes standing for the Scheduled Caste seats *entirely* by Hindu votes. That the Scheduled Castes representatives in the Provincial Legislatures who stood on the Congress ticket were elected solely by Hindu votes and not by the votes of the Scheduled Castes is a fact which even the Cabinet Mission will not be able to deny.

The real test by which to determine whether the Congress represents the Scheduled Castes is to examine the results of the Primary Elections which preceded the Final Elections, for in the Primary Election the Scheduled Castes have a separate electorate in which the Hindus have no right to vote. The Primary Election therefore reflects the real sentiments of the Scheduled Castes. What does the result of the Primary Election show ? Does it show that the Scheduled Castes are with the Congress ?

The Scheduled Castes have been allotted 151 seats in the Provincial Legislatures. They are distributed among the different Provinces except Sindh and the North-west Frontier Province.

Primary Election is not obligatory. It becomes obligatory only if there are more than *four* candidates contesting for a seat.

In the last Primary Election which preceded the Final Election, Primary Election became obligatory in 40 constituencies out of 151. They were distributed as follows :—

| | | | |
|---|---|---|---|
| Madras | ... | ... | 10 |
| Bombay | ... | ... | 3 |
| Bengal | ... | ... | 12 |
| United Provinces | | ... | 3 |
| Central Provinces | | ... | 5 |
| Punjab | ... | ... | 7 |

There were no Primary Elections in the Provinces of Bihar and Orissa.

The results of the Primary Elections in the 40 constituencies are tabulated in the Appendix which accompanies this note. The results prove:—

(I) That out of 283 candidates the Congress put up only 46 candidates on its ticket (*See* Table I) and out of 168 successful candidates had only 38 to its credit (*See* Table V).

(II) The object of a Party in entering into a Primary Election is to drive out all rival parties from the Final Election by putting up at least four candidates on its party ticket. Whether a party can put up four candidates on its ticket depends upon how much confidence it has in the voters to vote for its party ticket. The Congress has not ventured to put up more than *one* candidate in each constituency. This shows that the Congress had no confidence that the Scheduled Caste voters would vote for the Congress ticket. If there is any party which has ventured to put up four candidates for each seat it has contested, it is the Scheduled Castes Federation. (*See* Table II, Parts I, V, Columns 3 and 4).

(III) Measured in terms of votes cast in favour of the Congress it is proved beyond dispute that the Congress obtained only 28 per cent of the total votes polled in the Primary Election (*See* Table IV).

(IV) If there was not the temptation to get oneself elected in the final election with the help of the Hindu votes the Independents would all be members of the Scheduled Castes Federation. On that assumption the Scheduled Castes Federation is the only party which represents the Scheduled Castes and the 72 per cent voting in favour of the Non-Congress Parties should be set out to its credit (*See* Table IV).

The members of the Cabinet Mission argued that Dr. Ambedkar's following was confined to the Scheduled Castes in the Bombay Presidency and the Central Provinces only.

There is no foundation for this statement. The Scheduled Castes Federation is functioning in other Provinces as well and it has won notable electoral success as great as in Bombay and the Central Provinces. In making this statement the Mission has failed to take account of the signal victory Dr. Ambedkar secured in the election to the Constituent Assembly. He stood as a candidate from the Bengal Provincial Legislature Assembly. He secured 7 first preference votes and topped the poll so far as the general seats were concerned beating even Mr. Sarat Chandra Bose, the Leader of the Congress party. If Dr. Ambedkar has no influence outside Bombay and Central Provinces how did he get elected from Bengal ? It must be further remembered that there are 30 seats for the Scheduled Castes in the Bengal Provincial Assembly. Out of the 30 as many as 28 were elected on the Congress ticket. Of the two who belonged to his party one fell ill on the day of election. This means that 6 Scheduled Caste members elected on the Congress ticket broke the Congress Mandate and voted for Dr. Ambedkar. This shows that even these Scheduled Caste members who belong to the Congress regard him as the leader of the Scheduled Castes. This is complete disproof of the statement made by the Mission.

The Congress has been so much encouraged by the surrender of the Mission that a letter addressed to the Mission the Congress has gone to the length of denying that the Scheduled Castes are a minority. This means that the Congress is not prepared to give the Scheduled Castes the same safeguards as they would to other minorities. The Mission has not repudiated this suggestion of the Congress. Herein lurks a great danger and it is necessary to pin down the Mission in the course of the debate and compel them to say if they do or do not regard the Scheduled Castes as a minority.

The Cabinet Mission have said in their proposals that before sovereignty is transferred Parliament will have to satisfy itself that the safeguards for Minorities are adequate. The Mission has nowhere defined the machinery for examining the safeguards. Whether there would be a Joint Committee of the two Houses of Parliament to

examine the minority safeguards has not been made clear. The Mission has not even stated that His Majesty's Government will exercise its independent judgment in coming to its conclusion on the adequacy of the safeguards. It is necessary to have these matters defined because this provision was an afterthought with the Mission and did not form part of its original proposals which gives the impression that this was intended merely to act as a sop to the minorities.

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# Analysis of the Results of Primary Elections

## Held in December, 1945
## (Preliminary to the General Election in India Held in February 1946) for Choosing Candidates from the Scheduled Castes (Untouchables) for the Seats Reserved for the Scheduled Castes in the Provincial Legislatures of India

**Note.**—The Tables in this Analysis are prepared from official figures.

## TABLE I

### Parties which contested the Primary Election for seats reserved for Scheduled Castes shown Province-wise

| Name of the party which put up Candidates to contest primary elections | The Number of Candidates put up by each Party in— | | | | | | Total number of Candidates put up by the party in all the Provinces |
|---|---|---|---|---|---|---|---|
| | Madras | Bombay | Bengal | United Provinces | Central Provinces | Punjab | |
| 1. Congress ... | 10 | 3 | 13 | 11 | 5 | 4 | 46 |
| 2. Scheduled Castes Federation ... | 35 | 6 | 8 | 9 | 12 | none | 70 |
| 3. Harijan League ... | none | none | none | 1 | 3 | none | 4 |
| 4. No-Party Candidates (Independents) ... | 5 | 9 | 76 | 3 | 8 | 52 | 153 |
| 5. Hindu Maha Sabha ... | none | none | 1 | 1 | none | none | 2 |
| 6. Communists ... | 6 | none | 1 | none | none | none | 7 |
| 7. Radical Democratic Party ... | none | none | 1 | none | none | none | 1 |
| Total ... | 56 | 18 | 100 | 25 | 28 | 56 | 283 |

# TABLE II

## Parties which contested the Primary Election for seats reserved for the Scheduled Castes shown constituency-wise

### PART I—MADRAS

| Constituency in which Primary Election was contested | Total of Candidates who took part in the contest | Parties which fought the election and the number of candidates put up by each | | | |
|---|---|---|---|---|---|
| | | Congress | Scheduled Castes Federation | Commu-nists | No-Party Candidates (Indepen-dents) |
| 1. Amlapuram | 7 | 1 | 4 | 2 | none |
| 2. Coconada | 5 | 1 | 4 | none | none |
| 3. Bandar | 5 | 1 | 1 | 3 | none |
| 4. Cuddappa | 5 | 1 | 4 | none | none |
| 5. Penukonda | 5 | 1 | 4 | none | none |
| 6. Tirnvannamali | 6 | 1 | 5 | none | none |
| 7. Tindivanam | 6 | 1 | 5 | none | none |
| 8. Mannergudi | 5 | 1 | none | 1 | 3 |
| 9. Pollachi | 7 | 1 | 4 | none | 2 |
| 10. Nammakal | 5 | 1 | 4 | none | none |
| Total ... | 56 | 10 | 35 | 6 | 5 |

### PART II—BOMBAY

| Constituency in which Primary Election was contested | Total of Candidates who took part in the contest | Parties which fought the election and the number of candidates put up by each | | |
|---|---|---|---|---|
| | | Congress | Scheduled Castes Federation | No-Party Candidates (Indepen-dents) |
| Bombay City (North) | 7 | 1 | 1 | 5 |
| Bombay City (Byculla & Parel) | 6 | 1 | 1 | 4 |
| East Khandesh (East) | 5 | 1 | 4 | none |
| Total ... | 18 | 3 | 6 | 9 |

# TABLE II

PART III — BENGAL

| Constituency in which Primary election was contested | Total Candidates who took part in the contest | Parties which fought the election and the number of Candidates put up by each | | | | | |
|---|---|---|---|---|---|---|---|
| | | Congress | Scheduled Castes Federation | Hindu Maha Sabha | Non-Party Candidates (Independents) | Communists | Radical democratic Party |
| 1. Hoogly ... | 5 | 1 | none | none | 3 | ... | 1 |
| 2. Howrah ... | 7 | 3 | none | none | 4 | ... | ... |
| 3. Nadia ... | 12 | 1 | none | none | 11 | ... | ... |
| 4. Jcssore ... | 7 | 1 | 2 | none | 4 | ... | ... |
| 5. Khulna ... | 11 | none | none | none | 11 | ... | ... |
| 6. Dinajpur ... | 16 | 2 | none | none | 13 | 1 | ... |
| 7. Bogra ... | 6 | 1 | none | none | 5 | ... | ... |
| 8. Mymansing ... | 7 | 1 | none | none | 6 | ... | ... |
| 9. Faridpur ... | 18 | 2 | 3 | none | 13 | ... | ... |
| 10. Bakergunj ... | 6 | none | 3 | 1 | 2 | ... | ... |
| 11. Tipperah ... | 5 | 1 | none | none | 4 | ... | ... |
| Total ... | 100 | 13 | 8 | 1 | 76 | 1 | 1 |

# TABLE II

PART IV—UNITED PROVINCES

| Constituency in which Primary Election was contested | Total of Candidates who took part in the contest | Parties which fought the election and the number of candidates put up by each | | | | |
|---|---|---|---|---|---|---|
| | | Congress | Scheduled Castes Federation | Harijan League | Hindu Maha Sabha | No-Party Candidate: (Independents) |
| Agra City | 11 | 1 | 5 | 1 | 1 | 3 |
| Allahabad City | 6 | 1 | 4 | none | none | 3 |
| Almora | 8 | 3 | none | none | none | 3 |
| Total | 25 | 11 | 9 | 1 | 1 | 3 |

PART V—CENTRAL PROVINCES

| Constituency in which Primary Election was contested | Total of Candidates who took part in the contest | Parties which fought the election and the number of candidates put up by each | | | |
|---|---|---|---|---|---|
| | | Congress | Scheduled Castes Federation | Harijan League | No-Party Candidate: (Independents) |
| Nagpur-cum Sakoli | 5 | 1 | 2 | 1 | 1 |
| Hinganghat | 6 | 1 | 2 | 1 | 2 |
| Bhandara | 5 | 1 | 3 | 1 | none |
| Yeotmal | 6 | 1 | 2 | none | 3 |
| Chikliali | 6 | 1 | 3 | none | 2 |
| Total | 28 | 5 | 12 | 3 | 8 |

PART VI—PUNJAB

| Constituency in which Primary Election was contested | Total of Candidates who took part in the contest | Parties which fought the election and the number of candidates put up by each | | |
|---|---|---|---|---|
| | | Congress | Unionists | No-Party Candidate: (Independents) |
| Gurgaon | 10 | ... | 1 | 9 |
| Kurnal | 10 | 1 | ... | 9 |
| Ambala | 8 | ... | ... | 8 |
| Hoshiyarpur | 9 | 1 | 1 | 7 |
| Jullunder | 6 | 1 | 1 | 4 |
| Ludhiyana | 10 | 1 | ... | 9 |
| Lyalpur | 6 | ... | ... | 6 |
| Total | 59 | 4 | 3 | 52 |

TABLE III

Showing Province-wise the Votes obtained by different Parties which contested the Primary Elections

| Name of the Party | Votes secured by each Party in | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Madras | | Bombay | | Bengal | | United Provinces | | Central Provinces | | Punjab | |
| | aggregate | p.c. | aggregate | p.c. | aggregate | p.c. | aggregate | p.c. | aggregate | p.c. | aggregate | p.c. |
| 1. Congress ... | 27,838 | 33 | 5,333 | 14 | 56,848 | 32.7 | 4,101 | 41.8 | 1,131 | 10.7 | 8,298 | 17.6 |
| 2. Scheduled Castes Federation | 30,199 | 36 | 28,489 | 74 | 21,129 | 12.2 | 3,093 | 30.5 | 8,685 | 82.8 | nil | .53 |
| 3. Independents ... | 4,648 | 4.5 | 3,814 | 10 | 83,869 | 47 | 1,773 | 18.8 | 551 | | 24,618 | |
| 4. Harijan League ... | nil | | nil | | nil | | 370 | | 113 | | nil | |
| 5. Hindu Maha Sabha ... | nil | | nil | | 760 | | 452 | | nil | | nil | |
| 6. Unionists ... | nil | | nil | | nil | | nil | | nil | | 13,521 | |
| 7. Communists ... | 20,814 | 25 | nil | | 10,049 | 5.8 | nil | | nil | | nil | |
| Total ... | 83,409 | | 37,586 | | 1,72,791 | | 9,789 | | 10,480 | | 46,337 | |

TABLE IV

Distribution of Total Votes polled in Primary Elections all through India and their distribution between Congress and Non-Congress Parties

| Total Votes polled throughout India in Primary election | In favour of Congress Parties | | | | In favour of Non-Congress Parties | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Congress | Harijan League | Total | P.C. | Scheduled Castes Federaration | Independents | Hindu Maha Sabha | Communists | Unionists | Radical Democratic Party | Total | P.C. |
| 3,59,532 | 1,03,449 | 483 | 1,03,932 | 28 | 91,595 | 1,19,273 | 1,212 | 30,863 | 13,521 | 136 | 2,55,600 | 72 |

TABLE V

Number of Candidates who became successful in Primary Elections in different Provinces classified according to their Party Affiliations

| Name of the Party | Madras | Bombay | Bengal | U.P. | C.P. | Punjab | Total |
|---|---|---|---|---|---|---|---|
| 1. Congress ... | 10 | 3 | 12 | 4 | 5 | 4 | 38 |
| 2. Scheduled Castes Federation ... | 24 | 5 | 6 | 5 | 11 | none | 51 |
| 3. Independents ... | 3 | 4 | 36 | 2 | 3 | 21 | 69 |
| 4. Hindu Maha Sabha ... | none | none | 1 | 1 | 1 | ..... | 3 |
| 5. Harijan League ... | none | none | none | none | none | ..... | ..... |
| 6. Communists ... | 3 | none | 1 | none | none | ..... | 4 |
| 7. Radical Democratic Party ... | none | none | none | none | none | ..... | ..... |
| 8. Unionists ... | none | none | none | none | none | 3 | 3 |
| Total ... | 40 | 12 | 56 | 12 | 20 | 28 | 168 |

# 2

# * The Cabinet Mission and the Untouchables

## How the Cabinet Mission have Ignored the Untouchables ?

The Cabinet Mission in their Statement of 10th May set out their Interim and Long-term proposals for the solution of the political deadlock in India. The most galling and astounding feature of their proposals is their refusal to recognise the Untouchables as a separate and distinct element in the national life of India. The Mission has so completely ignored the Untouchables that not even once have they mentioned them in their long statement. To what extent the Cabinet Mission has gone in ignoring the Untouchables will be apparant from the following:—

(i) The Untouchables have not been given the right to nominate their representatives in the Central Executive as has been done in the case of the Sikhs and the Muslims. In the present Interim Government they have got two representatives of the Scheduled Castes neither of them owe any allegiance or obligation to the Scheduled Castes. One is nominated by the Congress and the other is nominated by the Muslim League.

(ii) In the Interim Government, the Untouchables have not been given a fixed quota of representation as was done in the case of the Muslims. At the Simla Conference of 1945 it was agreed that Scheduled Castes should have at least two members in a Cabinet of 14. The reason for a change of front between 1945 and 1946 is not known.

(iii) They have not been given the right to separate representation in the Constituent Assembly.

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* *Source : Printed Leaflet.*—Ed.

## II

### How the Cabinet Mission's decision constitutes a departure from established policy of H.M.G.

2. The decision of the Cabinet Mission has not only done a grave wrong to the Untouchables but it has registered a serious departure from the principles which have guided H.M.G. in its policy regarding Indian politics and regarding the position of the Untouchables.

(i) Before 1920, the Constitutional changes in the Government of India were made by the British Government on their own authority and in accordance with their own wishes. It was for the first time, that in 1920 that the British Government decided to frame the Constitution of India in consultation with Indians. Accordingly, a Round Table Conference was called to which Indians were invited. Among the Indians, there were representatives of the Untouchables who were invited separately and independently of the Congress or of any other political party.

(ii) Mr. Gandhi, the Congress representative, at the Round Table Conference fought against the recognition of the Untouchables as a separate element in the national life of India and contended that they were part of the Hindus and were therefore not entitled to separate representation. The British Government overruled Mr. Gandhi and by their Award recognised that the Untouchables were a separate and distinct clement in the national life of India and were therefore entitled to the same safeguards as the other minorities of India such as the Muslims, Indian Christians etc.

(iii) The British Government adhered to this principle in the Simla Conference which was held in June 1945. Among the Indians invited to that Conference there was a representative of the Untouchables who again was invited separately and independently of the Congress or any other political party.

(iv) It may be said that in the Constituent Assembly which formed part of the Cripps proposals of 1942, there was no provision for separate representation of the Untouchables and that therefore, the present proposals of the Cabinet Mission cannot be said to mark a departure. The answer is that they do. In the Cripps Proposals of 1942, it is not that the Untouchables alone were not given separate

representation. The fact is that no minority community was given separate representation in the Constituent Assembly. But in the Constitution of the Constituent Assembly of the Cabinet Mission, the Muslims and the Sikhs have been given separate recognition and separate representation which is denied to the Untouchables. It is this discrimination which constitutes the wrong of which the Untouchables are complaining.

3. The inequity of the proposals of the Cabinet Mission thus lies in the fact that it departs from the policy of recognising the Untouchables as a separate element in the national life of India and discriminates them by not recognising them while recognizing the Muslims and Sikhs.

**How the Cabinet Mission's decision abrogates the pledges given by H.M.G. to the Untouchables ?**

4. The non-recognition of the Untouchables as a separate clement by the Cabinet Mission is contrary to the pledges given to them by and on behalf of the British Government. The following are some of the pledges worth mentioning.

(i)

" Nor must we forget the essential necessity in the interests of Indian unity, of the inclusion of the Indian States in any Constitutional Schemes.

I need refer only two of them—the great Muslim minority and the Scheduled Castes—There are the guarantees that have been given to the minorities in the past; the fact that their position must be safeguarded, and that those guarantees must be honoured."

—*Extract from the speech made by Lord Linlithgow, at the Orient Club, Bombay on January 10, 1940.*

(ii)

"These are two main points which have emerged. On these two points, His Majesty's Government now desire me to make their position clear. The first is as to the position of the minorities in relation to any future Constitutional Scheme..... It goes without saying that they (H. M. Government) could not contemplate the transfer of their present responsibilities for the peace and welfare

of India to any system of Government whose authority is directly denied by large and powerful elements in India's national life. Nor could they be parties to the cocrsion of such elements into submission to such a Government."

*— Extract from the Statement by Lord Linlithgow on 8th August 1940.*

" Congress leaders.....have built up a remarkable organization, the most efficient political machine in India..... if only they had succeeded. If the Congress could in fact speak, as it professes to speak, for all the main elements in India's national life, then however advanced their demands, our problem would have been in many respect far easier than it is today. It is true that they are numerically the largest single party in British India, but their claim in virtue of that fact to speak for India is utterly denied by very important elements in India's complex national life. These others assert their right to be regarded not as mere numerical minorities but as separate constituent factors in any future Indian policy. The foremost among these elements stands the great Muslim community. They will have nothing to do with a Constitution framed by a Constituent Assembly elected by a majority vote in geographical constituencies. They claim the right in any constitutional discussions to be regarded as an entity against the operations of a mere numerical majority. The same applies to the great body what are known as the Scheduled Castes who feel, in spite of Mr. Gandhi's earnest endeavours on their behalf, that as a community, they stand outside the main body of the Hindu community which is represented by the Congress."

*—Extract from the speech by the Rt. Hon'ble Mr. L. S. Amery, Secretary of State for India, in the House of Commons on August 14, 1940.*

(iv)

" Without recapitulating all these reasons in detail, I should remind you that His Majesty's Government at that time made it clear:—

(a) That their offer of unqualified freedom after the hostilities was made conditional upon the framing of a Constitution agreed by the main elements of India's national life and the

negotiation of the necessary treaty arrangements with His Majesty's Government;

(b) That it is impossible during the period of hostilities to bring about any change in the Constitution by which means alone a "National Government" such as you suggest could be made responsible to the Central Assembly.

The object of these conditions was to ensure the fulfilment of their duty to safeguard the interest of the racial and religious minorities, of the Depressed Classes and their treaty obligations to the Indian States. "

— *Extract from the letter by Lord Wavell to Mr. Gandhi, dated 15th August, 1944.*

5. The Cabinet Mission's proposal not to give separate representation to the Untouchables is not the result of their individual judgement arrived at on an honest examination of the relevant facts. On the other hand, what the Mission has done is to pamper to the prejudices of Mr. Gandhi. Mr. Gandhi is vehemently opposed to the recognition of the Untouchables as a separate clement in the national life of India. He opposed their recognition at the Round Table Conference. When he found that notwithstanding his opposition they were recognized as a separate clement by the Communal Award of Mr. Ramsay Macdonald he threatened to fast unto death if the separate recognition of the Untouchables was not withdrawn. Again in 1945 at the First Simla Conference Mr. Gandhi raised his opposition when he found that H.M.G. had given separate recognition of the Untouchables. The Cabinet Mission were anxious to make a success of their proposals. That was not possible unless they could secure the consent of Mr. Gandhi. Mr. Gandhi demanded his price and the Mission gave it. That price was the sacrifice of the separate political existence of the Untouchables. Indeed one can go further and say that the proposals of the Cabinet Mission, so far as the minorities are concerned, are nothing but the reproduction of Mr. Gandhi's formula which he resounded at the Second Round Table Conference. Mr. Gandhi said that he would recognise only three communities for political purposes (1) Hindus, (2) Muslims and (3) Sikhs. The Mission's formula is a mere copy of Mr. Gandhi's formula. There is no other explanation.

## III

### Grounds urged by the Cabinet Mission in Justification of its decision.

6. For justifying their decision not to recognise the Untouchables as a separate element the Cabinet Mission has relied upon the results of the elections to the Provincial Legislative Assemblies which took place in February 1948. In the course of the debate in Parliament on the Cabinet Mission's proposals which took place on 18th July 1946, the members of the Mission have tried to make out the following points :—

(i) That in the election, the Congress captured all scats reserved for the Untouchables; that therefore the Congress represented the Untouchables. That being the case there was no justification for giving separate representation to the Untouchables.

(ii) That the following of the All-India Scheduled Castes Federation and my own was confined only to Bombay and Central Provinces.

### Futility of the grounds

7. These are monstrous propositions and will not stand close and honest scrutiny. The Cabinet Mission, to start with committed a great mistake in adopting the results of the election as a basis for assessing the representative character of the Congress. In doing so, the Mission failed to take into account the following circumstances :—

(i) The Hindu electorate was throughout the war intensely anti-British and although it did war work it did not do it willingly. The Congress Party which was anti-British and had non-cooperated with the war effort was a hot favourite of the Hindu electorate. The other parties particularly the Scheduled Castes suffered in the election because they were pro-British and had cooperated in the war effort.

(ii) Just before the date fixed for election, the Viceroy and the Commander-in-Chief staged the trial of the I.N.A. men. The Congress at once took up the cause of the I.N.A. men and made it an election issue. The trial was the principal factor which enhanced the influence of the Congress which was on the wane.

(iii) The issue over which the election was fought was Independence and Quit India. The nature of the future Constitution of India was never the issue. If it had been the issue the Congress would never have got the majority it did.

(iv) The Cabinet Mission did not take into account the open hostility shown by the Returning Officers and the Polling Officers—all of whom were Caste Hindus—against the Scheduled Caste candidates who were opposing the Congress. They went to the length of rejecting their nomination papers and refusing to issue ballot papers. The Cabinet Mission did not take into account the degree of terrorism and intimidation to which the Untouchable voters were subjected by the Caste Hindus on the ground that they were not prepared to vote for the Congress candidates. In the Agra City 40 houses of the Untouchables were burnt down. In Bombay one man from the Untouchable was murdered and in the moffusil Untouchable voters in hundreds of villages were not allowed to go to the Polling stations. In Nagpur a Police Officer became so much of a partisan of the Congress that he fired without the permission of the Magistrate on a crowd of Untouchable voters just to frightern them away. There were innumerable such cases all over India.

8. If the Cabinet Mission had taken into account these circumstances they would have realized that the success of the Congress at the elections was due to purely advantageous circumstances. The results of the elections held under such circumstances should not have been taken as a justification for not giving separate representation to the Untouchables in the Constituent Assembly.

**How the Mission adopted a false criterion for its decision**

9. The criterion adopted by the Mission to decide whether the Congress did or did not represent the Untouchables was how many seats reserved for Untouchables were won by the Congress in the Final Election. This criterion was a false criterion because the results of the final elections are beyond the control of the Untouchables. Under the Poona Pact the final elections are determined by the Hindu votes. The true criterion which the Mission should have adopted was to find out how the Untouchables voted, how many votes were cast in favour of

the Congress and how many against the Congress. This can be judged from the results of the Primary elections only and not from the results of the final elections. For in the Primary election only the Untouchables vote. If the results of the Primary elections are taken as a basis, the decision of the Cabinet Mission, would be found to be absurd and contrary to facts. For only 28 per cent of the votes polled in the Primary elections were cast in favour of the Congress and 72 per cent against it.

10. It is said if the Untouchables felt that they were not in the Congress they should have had a Primary election for every one of the 151 seats reserved for them. As a matter of fact, there were Primary elections for 43 scats only all throughout India. Why did the Untouchables not stage a Primary election for the rest of the 108 seats ?

The argument is absurd for the following reasons:—

(i) Primary election is not obligatory. It becomes obligatory only when there arc more than four candidates contesting one scat. It is not realized that anyone who stands for Primary election must also face the necessity of having to stand for final election. The inability of the Untouchables to bear the expense of double election make it very difficult to induce members of the Untouchable communities to stand for Primary election. The fact that there have been Primary elections only for 43 scats cannot be made the basis for the inference that the Untouchables do not claim to be separate from the Congress.

(ii) It is the Congress who must be asked as to why it did not put up 4 candidates in every constituency in the Primary elections. For if the Congress claims to represent the Untouchables, it should have put up more than 4 candidates on Congress ticket in every constituency and brought about Primary elections in each of the 151 constituencies and ousted every other party from coming into the final election. The Congress did not do this. On the other hand, even in the 43 Primary elections, the Congress put up only one candidate in each constituency on the off-chance of his coming within the first 4 and then getting him returned in the Final Election with the Hindu votes. This shows that the Congress knew that the Untouchables had no confidence in the Congress.

(iii) It is only in 1937 that the Untouchables for the first time got their right to vote. It is only after 1937 that the Untouchables

started organizing themselves for conducting elections. From the mere fact that Scheduled Castes Federation was outmatched by the Congress in the elections, it is wrong to conclude that the Untouchables are with the Congress. The Cabinet Mission ought to have made allowance from the unequal strength of the Congress and the Scheduled Castes Federation in fighting elections drawing any conclusions adverse to the Federation from the results of the elections.

**Futility of other grounds urged by the Mission in justification of their decisions**

11. The members of the Cabinet Mission argued that Dr. Ambedkar's following was confined to the Scheduled Castes in the Bombay Presidency and the Central Provinces only. There is no foundation for this statement. The Scheduled Castes Federation is functioning in other Provinces as well and it has won therein notable electoral successes, as great as, if not greater than, in Bombay and the Central Provinces. In making this statement the Mission has failed to take into account the signal victory Dr. Ambedkar obtained in the election to the Constituent Assembly. He stood as a candidate from the Bengal Provincial Legislative Assembly. He topped the poll as the general seats were concerned, beating even Mr. Sarat Chandra Bose the Leader of the Congress Party. If Dr. Ambedkar has no influence outside Bombay and Central Provinces how did he get elected from Bengal ? It must be further remembered that there are 30 seats for the Scheduled Castes in the Bengal Provincial Assembly. Out of the 80 as many as 28 were elected on the Congress ticket. Of the two who belonged to his party one fell ill on the day of the election. Notwithstanding this Dr. Ambedkar topped the poll. This could not have happened unless the Scheduled Caste members of Bengal elected on the Congress ticket had voted for him. It must also be remembered that Scheduled Castes in Bengal do not belong to the community to which Dr. Ambedkar belongs. This shows that even those Scheduled Caste members who belong to the Congress and who do not belong to his community regard him as the leader of the Scheduled Castes. This completely disproves the statement made by the members of the Mission.

12. The members of the Cabinet Mission argued that for the sake of maintaining uniformity in the composition of the Constituent Assembly they had to adopt in the case of the Untouchables the result of the Final elections as they had done in the case of the other communities. The argument is a form of special pleading which has no force. The Mission knew the final election of the Muslims, the Indian Christians and the Sikhs was by separate electorates. The final election of the Scheduled Castes was not by separate electorates. Consequently, for the sake of uniformity the Mission should have taken the results of the primary elections for giving representation to the Untouchables in the Constituent Assembly. The Mission was bound to do so because it was admitted by Sir Stafford Cripps in the debate that the system of election of the Untouchables as determined by the Poona Pact was incquilious. Why did the Mission then adopt it as a basis for its decision ?

## IV

## What could be done to save the Untouchables from impending peril

13. The Cabinet Mission has by the Constitution of the Constituent Assembly left the Untouchables entirely at the mercy of the Caste Hindus who have an absolute majority in it. The Untouchables want the restoration of separate electorates given to them by the Communal Award by H.M.G. and the abrogation of the Poona Pact which was forced upon them by coercion practised by Mr. Gandhi through his fast unto death. This, the Hindus are bound to oppose. In reply to the criticism that they have been left to the mercy of the Hindu majority the Cabinet Mission has been advertising their proposal for an Advisory Committee on Minorities as a means of safeguarding minority rights. Anyone who examines the powers and Constitution of the Advisory Committee will know that the body is worse than useless.

(i) In its composition it is only a pale reflection of the Constituent Assembly. The Hindus will dominate it in the same way as they do the Constituent Assembly;

(ii) The fact that there will be a certain number of Untouchables in the Constituent Assembly as well as in the Advisory Committee elected by the goodwill of the Congress can be of no help to them

for the Untouchable members of the Assembly and of the Committee are but the creatures of the Hindus;

(iii) The decisions on questions relating to the minority protection by the Advisory Committee are left to the bare majority which means that the decision will be taken by the caste Hindus and imposed upon the minorities.

(iv) The decision of the Advisory Committee even if they are favourable are no more than recommendations. They are not binding on the Constituent Assembly.

14. The device of an Advisory Committee is thus a hoax if not a humbug and cannot be relied upon to counteract the mischief the Hindu majority may do to the cause of the minorities. The Hindu majority has singled out the Untouchables for their malicious intention and seems to be determined to deprive them of the right to claim the political safeguards which are due to a majority. This is apparent from the letter addressed by the Congress on 25th June 1946 (item 21 in Cmd. 6861). In that letter the Congress has taken the stand that the Untouchables are not a minority. This is an astounding proposition. For according to Mr. Gandhi's own admission in his weekly called the Harijan of 21st October 1939 the Untouchables were the only real minority in India. The Congress has thus taken a complete somersault. The stand now taken by the Congress is contrary to the underlying principles of the Government of India Act, 1935, which recognizes them a minority. What mischief is contemplated by this somersault it is not possible to know. If the Congress does not regard the Untouchables to be a minority it is possible that the Constituent Assembly might refuse to give them the same safeguards which it might agree to give to the other minorities. The Advisory Committee cannot therefore save the Untouchables from peril.

15. Parliament must therefore intervene to see that the position of the Untouchables is not jeopardized. This Parliament must do, not merely because of the pledges it has given but also because of the fact that the discussions of the Constituent Assembly are not subject to ratification.

16. What can Parliament do ? The Untouchables would like that the wrong done to them in regard to the Interim Government redressed. They would like their quota fixed. They would like to be given the

right to nominate their representatives to the Executive Council. These rights are not new claims. They are vested rights of the Untouchables which were recognized as late as the Simla Conference of 1945. They realize that this wrong it may be difficult to redress now. But if circumstances change and the Government is reconstituted they expect Parliament to press H.M.G. to right this wrong.

17. Much can be done now to save the Untouchables from the injury which the Constituent Assembly, dominated by the caste Hindus who are determined to deprive the Untouchables of their political safeguards may do. To prevent this mischief the following steps could be taken:—

I—Press H.M.G. to make a declaration that they regard the Untouchables as a minority.

This is essential in view of the stand taken by the Congress in its letter of the 25th June 1946 (Item 21 in Cmd. 6861). This is all the more necessary because the Viceroy in his reply to the Congress dated 27th June 1946 (Item 38 in Cmd. 6861) has avoided giving a specific denial to the contention of the Congress that the Untouchables are not a minority. If the Government is not pressed to make a declaration now the Untouchables will suffer in two ways :—

(a) The Constituent Assembly dominated by the Hindus will deny them the rights of the minority.

(b) H.M.G. will be free not to come to their rescue on the ground that they were not committed to regard the Untouchables as a minority.

II. Press for a declaration as to whether H.M.G. will Institute machinery, if so of what sort, to examine whether the safeguards for minorities framed by the Constituent Assembly are adequate and real.

(a) In their Supplementary Statement dated 25th May 1946 (Cmd. 6835) the Cabinet Mission say :—

> "When the Constituent Assembly has completed its labours, His Majesty's Government will recommend to Parliament such action as may be necessary for the cessasion of sovereignty to the Indian people, subject only of two matters which are mentioned in the statement and which we believe, are not controversial, namely : adequate provision for the protection of the minorities (paragraph 20 of the statement) and willingness to conclude a treaty with

H.M.G. to cover matters arising out of the transfer of power (Paragraph 22 of the statement) ".

The idea behind this paragraph is not quite clear. It is necessary to press H.M.G. to clarify their intention.

(b) If the words 'subject to' mean that H.M.G. reserve to themselves the right to examine the safeguards for the minorities framed by the Constituent Assembly in order to find out whether they are adequate and real it is necessary to press H.M.G. to state what machinery they propose to institute for such an inquiry. The machinery of a Joint Parliamentary Committee with power to examine witnesses from minorities communities would be most appropriate. There is a precedent for it. A joint Parliamentary Committee was appointed when the Government of India Act of 1935 was on the anvil. There would be nothing wrong in following the precedent in dealing with the report of the Constituent Assembly.

III. Press H.M.G. to declare if they will insist upon the Constitution framed by the Constituent Assembly containing clause circumscribing the power of the future Indian Legislature to do away with minority safeguard by bare majority.

(a) Neither the first Statement of the Cabinet Mission of May 16, 1946 nor the Supplementary Statement of May 25, 1946 deal with the question of providing against the Legislature of a Free India altering the Constitution and abrogating the clauses dealing with the protection of minorities. There is no use in Parliament introducing safeguards if these safeguards can be done away with by the Indian Legislature. The only safeguards against such action is to see that the Constitution framed by the Constituent Assembly contains clauses putting limitations on the Constituent powers of the Indian Legislature and prescribing conditions precedent to be fulfilled before alterations in minority safeguards are made. Such provisions exist in the Constitution of U.S.A. and Australia.

(b) Though this is a matter of vital importance to the minorities the Cabinet Mission has given no thought to the subject. It is necessary to press H.M.G. as to what they have to say on this question.

— B. R. AMBEDKAR

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# Part III

## Questions & Answers

### From 14th September 1942
### to
### 12th April 1946

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# 1

## * Recent Labour Strikes in Industrial Undertakings

16. **Mr. K. C. Neogy :** (a) Will the Honourable Member for Labour be pleased to state whether during recent weeks there have been labour strikes in important industrial undertakings, such as iron and steel, coal and textiles ?

(b) If so, will the Honourable Member be pleased to make a comprehensive statement dealing with the principal features of these strikes and giving in each case the issues on which the strike was declared, the number of persons involved and the duration of the strike ?

**The Honourable Dr. B. R. Ambedkar:** (a) Certain important industrial undertakings did cease to work for certain periods during the previous five weeks. It is not in public interest to name them or particularize them.

(b) It is not in the public interest that the full information asked for should be given in respect of those industrial undertakings which are engaged on important war work.

2. In many cases cessation of work appears to have had no connection with economic grievances; in a few others cessation of work has been more in the nature of an ordinary strike with demands for increase in wages or dearness allowance.

3. Ahmedabad was the town in which cessation of work was the longest—here there were no economic grievances apparent and the mills have not yet reopened. In Bombay on date were all mills closed, and cessation of work in those mills that did remain closed was only of short duration—here too no economic grievances were put forward. In Coimbatore where mills reopened and have closed again economic grievances were to some extent apparent.

* Legislative Assembly Debates (Central), Vol. III of 1942, 15th September 1942, p. 87-90.

4. Apart from the cessation of work in the textile mills of Bombay, Ahmedabad and Coimbatore, the number of industrial undertakings which employ more than a thousand workers each and in which work was stopped for any appreciable time, for reasons not purely economic, was only about a dozen. In about ten other undertakings employing about a thousand workers each, cessations of work were of a very short duration. The number of undertakings employing less than a thousand workers in which work was stopped since the 9th August for non-political reasons was less than 20.

5. A large majority of cessations of work were in the provinces of Bombay and Bengal, only just over half a dozen occurring elsewhere.

6. The Government are not aware of any sabotage in industrial undertakings by persons who have ceased work.

7. As regards strikes from the second week of August, which are known to have occurred for purely economic reasons, these numbered about 24, only seven of the undertakings employ more than a thousand workers.

**Dr. Sir Ziauddin Ahmad :** May I ask whether it has been brought to the notice of the Government that some of the factories that closed allowed their workers to go out and paid them salaries for the day?

**The Honourable Dr. B. R. Ambedkar:** Government have no definite information beyond the statement already made. But there are indications that in some cases the things that have been referred to by my Honourable friend have in all probability occurred.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member if these strikes were closed on certain terms, or were they closed of themselves, or with the help of the Government, on certain conditions ?

**The Honourable Dr. B. R. Ambedkar :** I do not follow the question.

**Mr. Lalchand Navalrai :** The Honourable Member has said that some of these strikes ceased. Now I am asking if they did do it on certain terms given by Government, or of their own will, or whether they ceased these strikes on any conditions ?

**The Honourable Dr. B. R. Ambedkar :** In some cases they went back of their own will.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member if any went on terms given by Government, and what were those terms ?

**The Honourable Dr. B. R. Ambedkar :** No. I am not aware of any case where Government had to give any terms to ask labourers to resume work.

**Mr. N. M. Joshi:** May I ask, on the statement made by the Honourable Member whether the demands made by the workers of Bombay were placed before the Government ? Whether he is aware that the Bombay Gimi Kamgar Union had sent to the Bombay Government more than a month ago, a statement regarding their demands about pay and other matters ?

**The Honourable Dr. B. R. Ambedkar :** I am aware that some demands were made, but the point that I wish to emphasize is this : that in no case in Bombay so far as I am aware, the making of grievances was the cause for the stoppage of work.

**Mr. N. M. Joshi:** May I ask if the Girni Kamgar Union sent their demands to the Bombay Government, and if, after that, there were strikes, what is the point in the Honourable Member stating that no economic demands were made, or no economic demands were the cause of the strike ? How did he come by that ?

**The Honourable Dr. B. R. Ambedkar :** I have no report from the Government of Bombay, but the information to which my Honourable Member has referred, is the information which I have got from the papers.

**Mr. N. M. Joshi :** May I ask the Honourable Member to enquire from the Bombay Government whether they have taken any steps to remove grievances of the Bombay textile workers and consider the demands made by the Bombay Girni Kamgar Union ?

**Sir Cowasji Jehangir :** May I ask ihe Honourable Member how many strikes there were in the textile mills of Bombay after the 8th/9th August ?

**The Honourable Dr. B. R. Ambedkar :** There were very few.

**Mr. Muhammad Nauman** : Can the Honourable Member give any indication of the pay of the Tata Iron and Steel Company workers ? Were their specific demands sent lo Government ?

**The Honourable Dr. B. R. Ambedkar :** It is not in the interests of the public to give any information.

**Mr. K. C. Neogy :** Does the Honourable Member know that it is published in the newspapers ?

**The Honourable Dr. B.R. Ambedkar:** That may be so. Government will not take any responsibility.

**Mr. K. C. Neogy** : This report is from the Associated Press, one of the authorised agencies. It is stated that they struck work on the issue of a National Government in India.

**The Honourable Dr. B. R. Ambedkar :** I do not know what the Honourable Member means that the Associated Press is an authorised agency.

**Mr. K. C. Neogy :** I am afraid the Honourable Member does not care to read the Government communiques.

**Sardar Sant Singh :** May I know whether it is a fact that all these strikes occurred after the arrest of Mahatma Gandhi and his co-workers ?

**The Honourable Dr. B. R. Ambedkar :** Well, I cannot give definite information, but my impression is that these strikes were not spontaneous.

**Pandit Lakshmi Kanta Maitra :** Will the Honourable Member be pleased to state the dates on which the strikes started ? We can draw inferences therefrom.

**The Honourable Dr. B. R. Ambedkar :** Where ? In what place ?

**Pandit Lakshmi Kanta Maitra** : In Tata's.

**The Honourable Dr. B. R. Ambedkar :** As I said, I am not prepared to give any information because it is not in the public interest to give any information.

**Pandit Lakshmi Kanta Maitra :** I do not want the reasons for the strike or any such information ; I want the dates on which the strikes were declared.

**The Honourable Dr. B. R. Ambedkar :** I have stated that it will not be in the public interest to give any information.

**Sardar Sant Singh :** Is it a fact or not that all these strikes had occurred after the arrest of Mahatma Gandhi and does the Government believe or not that this shows the intensity of the movement and the following that Mahatma Gandhi has got in the country.

**The Honourable Dr. B. R. Ambedkar :** That is an argument; it is not a question.

**Mr. N. M. Joshi:** May I ask whether the strike at Jamshedpur has ended?

**The Honourable Dr. B. R. Ambedkar :** I believe it has.

**Mr. President** (The Honourable Sir Abdur Rahim): Next question.

## 2

### * Programme of Activities of the Utilisation Section of the Geological Survey of India

17. **Mr. K. C. Neogy:** (a) Will the Honourable Member for Labour be pleased to state whether a detailed programme has been drawn up in respect of activities of the newly started Utilisation Section of the Geological Survey of India ?

(b) What are the minerals that are now intended to be included within the purview of such activities ?

(c) Is it a fact that the Section will be concerned initially with pioneering work in respect of select minerals with the help of experts, while ultimately entrusting their exploitation to suitable commercial concerns ?

(d) Is petroleum included among the minerals with which the Section is concerned ?

(e) What practical steps have been taken so far for furtherance of the object of this Section, and in respect of what minerals and with the help of which experts, and with what ultimate object in view have such steps been taken ?

(f) Are the efforts of the Utilisation Section co-ordinated with the activities of the organisations relating to Scientific and Industrial Research and Utilisation attached to the Commerce Department ? If so, in what manner ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes. The programme is, however, liable to alteration if there is urgent demand for a particular mineral.

* Legislative Assembly Debates (Central), Vol. III of 1942, 1st September 1942, pp. 90-93.

(b) All minerals which are required for war purposes and for which there are reasonable prospects of working in India. These include sulphur, mica, tungsten or wolfram, and non-ferrous metals such as lead, zinc, copper and tin.

(c) The Utilisation Branch will with the help of experts prove deposits and undertake small-scale mining operations which may include the operation of experimental and pilot plants for smelting, etc., up to the stage when it becomes clear that production can be undertaken by Commercial firms. It is the present intention (subject to the necessity of maintaining war production and to the circumstances of each case) that at that stage commercial development should be encouraged.

(d) No, according to present programme.

(e) The Utilisation Branch has already taken steps to examine the possibility of obtaining early production of lead and zinc. The most promising lead-zinc mines in India appear to be the mines at Zawar in Udaipur State. The Government of India, acting through Mr. W. P. Cowen, late General Manager of the Mawchi mines in Burma, negotiated with the Mewar Government. They secured the cancellation on payment of compensation of the lease of the mines held by a private company, and obtained a prospecting licence from the Mewar Government. Mr. Cowen was placed in charge of the operations and began work at the end of May 1942. Operations have been planned in two stages (1) a detailed planetable survey and deep-drilling operations to be followed by (2) opening up of deposits and the erection of a pilot ore-dressing plant and smelters as soon as drilling operations establish the workability of the lode. As a result of the Survey's progress so far made it is hoped that it will be possible to obtain information regarding the "payability" of the lode earlier than was originally expected. Most of the machinery required by Mr. Cowen in the way of drilling equipment, etc. has now arrived. Two Mining Engineers, one Mechanical Engineer, two Metallurgists and three Surveyors have been appointed to assist Mr. Cowen.

Exploitation of the sulphur deposits in the extinct volcano of Koh-i-Sultan, has been taken over by the Utilisation Branch from the Supply Department and a Superintending Geologist of the Geological Survey of India is in charge of the operations.

The Branch is also engaged in an endeavour to stimulate the production of mica. A Superintending Geologist of the Geological Survey of India is in charge of a newly-formed Mica Production Section. It will be the work of the Branch to give all possible assistance to mica miners in obtaining the supplies necessary for increasing production.

Investigations have also been taken in hand by the Branch regarding wolfram, copper, etc., and a possibility regarding tin is receiving urgent consideration.

The ultimate object is to make India as self-sufficient as possible in respect of minerals which are needed for the war effort.

(f) Yes; the Director, Scientific and Industrial Research and a Senior official of the Commerce Department are members of the Advisory Body which has been set up to assist this Branch.

**Pandit Lakshmi Kanta Maitra :** May I enquire, when the Honourable Member was referring to certain types of technical staff, if they are all British officials evacuated from Burma ?

**The Honourable Dr. B. R. Ambedkar :** With regard to the two mining engineers referred to in my reply to this part of the question, the information is this : the two gentlemen employed **as** mining engineers arc Mr. Smith and Mr. Robottam.

**Pandit Lakshmi Kanta Maitra :** Do they all come from Burma ?

**The Honourable Dr. B. R. Ambedkar :** They arc Burmese evacuees. Under them there are two probationers ; both of them are Indians. Then the mechanical engineer is one Mr. Symcs. He is also an evacuee. Of the two metallurgists, one is an Indian—Mr. Narayan—and the other is Mr. Fleming. There are three surveyors with regard to sulphur; they are all Indians. I may say that the reason why we had to employ these Burmese evacuees is because they are the only people who happened to know something about mining in regard to lead and zinc. They arc all taken from the Mawchi mines ; and probably the Honourable Member knows that the Mawchi mines in Bunna are the only mines which are lead and zinc mines. We had no expert from anywhere else. The policy of the Department is this, that while in the first place the necessity of employing Europeans who have experience in the mining of lead and zinc is inevitable, the department is taking steps that wherever a European is appointed there

shall be appointed under him an Indian to be trained so that when the European vacates the Indian would be able to take charge of the department.

**Pandit Lakshmi Kanta Maitra :** The Honourable Member said just now that Mr. Cowen Started work at the end of May 1942, and that in regard to these non-ferrous metals, zinc and lead the appointment of British officials was inevitable. When did it occur to the Government of India to have these mines explored ? Was it after the fall of Burma, so as to provide for these gentlemen who have been thrown out of employment ?

**The Honourable Dr. B. R. Ambedkar :** I cannot give an answer to that question.

**Pandit Lakshmi Kanta Maitra :** When did the Government first take it into their head to have these mines worked in India ? What have they been doing all this time ?

**The Honourable Dr. B. R. Ambedkar :** Probably quite spontaneously without reference to anything external.

**Sardar Sant Singh :** May I ask whether the need for working these mines was felt as a necessity to provide for the war effort, or was it to provide these evacuees from Burma with some jobs ?

**The Honourable Dr. B. R. Ambedkar :** Certainly not; the supplies from Burma having ceased it was necessary for the Government of India to exploit their own resources.

**Mr. K. C. Neogy :** With reference to clause (d) of the question, my Honourable friend stated that petroleum was not included among the minerals at the present moment. Has petroleum been excluded from the programme as a matter of discretion with the department or because the Government has been committed to some other agency for the development of petroleum in India ?

**The Honourable Dr. B. R. Ambedkar :** Not at all. My answer was that for the present the programme docs not include it; it does not mean that it is excluded from the programme altogether.

**Mr. K. C. Neogy :** Will the Honourable Member be surprised I were to tell him that Dr. Fox made a statement on the 6th of July, a portion of which I referred to yesterday, somewhat to that effect ?

**The Honourable Dr. B. R. Ambedkar :** I would like to say this to my Honourable friend, that Dr. Fox does not decide the policy of the Government of India.

**Mr. K. C. Neogy :** But Dr. Fox may at least be expected to be truthful. Anyway, may I ask another very short question? My Honourable friend stated that the Udaipur Durbar had to be persuaded to cancel the lease in respect of lead and zinc mines in that State, which had already been granted to a private party. Before getting the Udaipur Durbar obligingly to cancel this lease, was any attempt made by the Government to find out whether an agreement could not be arrived at with that private party for the purpose of enabling whatever activities the department wanted to carry on to be carried on ?

**The Honourable Dr. B. R. Ambedkar :** I must have notice of that question.

# 3

## * "Bevin Boys " Returned to India and their Employment

23. **Mr. Govind V. Deshmukh :** Will the Honourable Member for Labour please state how many " Bevin boys " have returned to India and if all of them have got employment ? If not, what are the reasons for their unemployment? Are any of them taking any part in Trade Unions?

**The Honourable Dr. B. R. Ambedkar :** 149 Bevin boys have returned to India of whom 26 arrived only on the 5th September and are now being tested by an Examining Board. Of the remaining 123, 105 have been placed in employment with an average increase of salary of 145 per cent. Of the balance of 18, nine boys who arrived at the end of July have been allotted to posts and will be appointed very shortly; two who do not wish to take up factory work are being considered for Emergency Commissions—one in the Indian Army and one in the Indian Air Force ; three have refused the posts offered to them and efforts are now being made to find them other appointments ; one is being returned to his original employment on increased pay; one is undergoing tests with a view to appointment as Welder Instructor

* Legislative Assembly Debates (Central), Vol. III of 1942, 15th September 1942, pp. 112-113.

at a training centre ; one has been earmarked for a post but cannot at present be traced; and the last man was returned from England for misconduct without completing his training.

It is too early yet to say whether any of the returned trainees are taking part in Trade Union Affairs.

**Mr. Govind V. Deshmukh :** May I know if their unemployment is not due to the fact that they are taking part in Trade Union movements ?

**The Honourable Dr. B.R. Ambedkar :** I do not think so. I do not see any evidence of unemployment among the trainees.

**Mr. Govind V. Deshmukh :** My question was " if all the 'Bcvin boys' have got employment " and the answer was that all the 'Bevin boys' who have returned are not employed, that some are being tested, that some are employed that some are sent back to their old jobs. I want to put this question whether their unemployment is in any way due to the fact that they are taking interest in trade union activities.

**The Honourable Dr. B. R. Ambedkar:** I am sure it is not.

**Mr. Govind V. Deshmukh :** What sort of misconduct was reported against one of the 'Bevin boys ' ?

**The Honourable Dr. B. R. Ambedkar:** I have not got the information at present. I want notice.

**Mr. Govind V. Deshmukh :** Has it got anything to do with his labour activities ?

**The Honourable Dr. B. R. Ambedkar :** I would not like to spoil the chances of this young man, did not the Government think it advisable to make enquiries about what that misconduct was ?

**Mr. Govind V. Deshmukh :** When this case of misconduct was reported against this young man, did not the Government think it advisable to make enquiries about what that misconduct was ?

**The Honourable Dr. B. R. Ambedkar :** I have no doubt that Government have got the information about the sort of misconduct he was found guilty of. I have not got the fact with me at present. I want notice.

**Dr. Sir Zkuiddin Ahmad :** May I know whether the 'Bevin boys' come from the labouring classes ?

**The Honourable Dr. B. R. Ambedkar:** The Department is examining that aspect of the case.

**Mr. Govind V. Deshmukh :** In view of the fact that the ' Bevin boys ' return to India after obtaining proper training in England, where is the necessity for testing them again ?

**The Honourable Dr. B. R. Ambedkar:** Most of the employers would not accept the word of the Government of India that they were trained, and the employer would like to satisfy himself that the man whom he is employing is properly trained. We cannot prohibit the employer from doing so.

# 4

## * Depreciation in Labour Wages

**27. Mr. Amarendra Nath Chattopadhyaya:** (a) Will the Honourable Member for Labour be pleased to state if he has ascertained the exact depreciation in wages in proportion to the increase in value of food-stuff and textile commodities and general cost of living ? If so, what is the ratio ?

(b) Is it not a fact that the dearncss allowance and wartime bonuses granted to Railway workers is not sufficient to make up for the proportional fall or depreciation in wages ?

(c) If the answer to part (b) be in the affirmative, does the Honourable Member propose to reconsider the matter of wages of labour on the Railways and increase their wages to an amount which would be sufficient?

(d) Do Government propose, during the war period, to set up food and cloth stores for supplying Railway labour with these commodities at prices commensurate with their present income and if it proves satisfactory to continue the arrangement as a permanent measure ?

(e) Will the Honourable Member be pleased to make a comparative statement of wages paid to the Railway labour in Government controlled Railways, in private Railways (i.e. Company-managed and private State Railways) and in textile mills, jute mills and the iron and steel factories in India, and also their hours of work in a week ?

* Legislative Assembly Debates (Central), Vol. III of 1942, 15th September 1942, pp. 115-17.

**The Honourable Dr. B. R. Ambedkar :** (a) The costs of living have not risen at the same rates throughout India ; there are reliable cost of living indices only for a few large towns ; the rates of wages even at one centre differ considerably for different classes of employees, and the movements in the rates of wages have been uneven at the same place and as between different places. In view of these factors, it is not possible to give a reply to the question as put by the Honourable Member. If he desires information regarding any specific class of employees at a place where there is a reliable cost of living index, I shall attempt to furnish it.

(b) No. I believe that the dearness allowance meets full the increased cost of living in the lower grades though to a diminishing extent in the higher grades.

(c) Does not arise; but I would add that recently the dearness allowance was enhanced by a considerable extent, in negotiation with the All India Railwaymen's Federation and there is no justification for a further revision at present.

(d) Grain shops have been and are being opened by a number of railways when the administration considered it necessary to do so. Commodities supplied in these shops are sold at prices not exceeding the control prices fixed by Provincial governments. It is proposed to run these shops during the war as long as the necessity for them exists. No cloth shops have yet been opened on the Railways.

(e) There is no known basis for making such a wide comparison; each factory employs specialised labour and comparison is difficult.

**Mr. Muhammad Nauman :** May I know from the Honourable Member whether it is the contention of government that there has been no rise in price since 1939 ?

**The Honourable Dr. B. R. Ambedkar :** That is not the contention of the Government. All that the Government say is that there is no uniformity in rise.

**Mr. Muhammad Nauman :** There is some uniformity taking the minimum. Are the Government not prepared to accept the minimum rise in all commodities, which is above 50 per cent ?

**The Honourable Dr. B. R. Ambedkar :** I am prepared to say that there is rise, but I cannot say that the percentage is as high as the Honourable Member suggests.

**Mr. Muhammad Nauman :** Will the Government make enquiries and find out whether the allegation is correct ?

**The Honourable Dr. B. R. Ambedkar :** I cannot commit myself to making enquiries, which will require additional staff and time which Government may not be able to spare. v

**Mr. Muhammad Nauman :** The Government ought to have had this information since three years have elapsed.

**Mr. President** (The Honourable Sir Adur Rahim)**:** The Honourable Member is expressing an opinion.

**Dr. Sir Ziauddin Ahmad :** May I ask if the dearness allowance mentioned in this question will be extended to other departments of the Government of India, especially post office ?

**The Honourable Dr. B. R. Ambedkar :** This question should be addressed to the appropriate department.

**Dr. Sir Ziauddin Ahmad :** This question refers to railways, but my Honourable friend has taken up this question as one concerning labour. I should like to know whether the labour conditions mentioned with regard to railways will be extended to labour conditions in other departments ?

**The Honourable Dr. B. R. Ambedkar :** I think there has been an increase in dearness allowance given to all employees in the Government of India.

**Mr. Muhammad Nauman :** With reference to part (d), may I know whether Government have taken any pains to compare the control rates at which they are selling now and the rates at which the commodities were being sold in 1939 and 1940 ?

**The Honourable Dr. B. R. Ambedkar :** It is quite unnecessary to make any such comparison of percentage at all.

**Mr. Muhammad Nauman :** Otherwise, you do not know what percentage of dearness allowance should be given.

**The Honourable Dr. B. R. Ambedkar :** It is sufficient for Government purposes to know that there is an increase. In that case they may consider whether or not to increase the allowance.

**Qazi Muhammad Ahmad Kazmi:** What are the places where the rise in prices is the lowest ?

**The Honourable Dr. B. R. Ambedkar:** I want notice.

* * *

# 5

## * Representation of Scheduled Castes in the Civil Pioneer Units

**Rao Bahadur N. Sivaraj :** (a) Will the Honourable the Labour Member please state how many battalions of Civil Pioneer Force have been raised in the different Provinces ?

(b) to what extent are the Scheduled Castes represented in the ranks and as officers ?

(c) if the Scheduled Castes are not represented will he please state the reasons therefor ?

(d) what steps do Government propose to take to secure their proper representation ?

**The Honourable Dr. B. R. Ambedkar :** (a) Twelve units of the Civil Pioneer Force have been sanctioned in the first instance, as under:

Bcngal-3, Madras-2, Bihar-1, Bombay-1, C. P. and Berar-1, N.W.F.P.-1, Orissa-1, Punjab-1, U.P.-1.

Most of these units are still in the process of forming. Seven additional units have recently been sanctioned, as under:

Bengal-3, Bombay-1, C. P.-1, Madras-2.

Recruitment for these has now commenced.

(b) At present Scheduled Castes are represented in the Civil Pioneer Force as under:

Bengal 2 per cent.

Bombay 10.5 percent.

C. P. and Bcrar 26 per cent.

Punjab 32 per cent.

U. P. 20 per cent.

Madras figure not known.

N.W.F.P. All Muhammadans.

These figures are liable to fluctuate as further recruits are enrolled.

At present so far as information goes there is only 1 officer classed as Scheduled Caste.

* Legislative Assembly Debates (Central), Vol. III of 1942, 22nd September 1942, pp. 385-86.

(c) The raising of Civil Pioneer Force Units under Ordinance No. X of 1942 was entrusted to Provincial Governments who therefore become responsible for deciding on the composition of their respective units.

(d) The Government of India addressed all Provincial Governments regarding the percentage of Scheduled castes to be recruited in future and directing that the percentage both of officers and men should be up to the percentage of Scheduled castes in the province and that where this percentage had not been previously met it should be made up in recruitment to subsequent units.

**Mr. N. M. Joshi :** May I ask what is the function of this Civil Pioneer Force ?

**The Honourable Dr. B. R. Ambedkar :** The function of the Civil Pioneer Force is more or less analogous to that of the Fire Brigade. When there is an air raid and property is destroyed, the Civil Pioneer Force will come into operation and do rescue work.

# 6

## * Prescribed Government Conditions for Contractors as regards Payment of Wages, etc., to their Employees

**Rao Bahadur N. Sivaraj :** Will the Honourable the Labour Member please state if he is aware that in Western Countries conditions have been prescribed to be observed by the contractors in the matter of wages and benefits to their employees ; if so, whether the Government of India have prescribed any such conditions for the contractors in India ?

**The Honourable Dr. B. R. Ambedkar :** Yes. In certain western countries contracts require that contractors should observe certain labour conditions in respect of such matters as hours of work, wages and conditions generally. The Government of India have prescribed in the case of Central Public Works Department contracts that the

* Legislative Assembly Debates (Central), Vol. III of 1942, 22nd September 1942, p. 386.

contractor should pay his labourers not less than the wages paid for similar work in the neighbourhood.

**Rao Bahadur N. Sivaraj :** What steps, if any, are taken by the Government to enforce this clause in the contract ?

**The Honourable Dr. B. R. Ambedkar :** I cannot say offhand, but I will make inquiries and let the Honourable Member know..

**Mr. N. M. Joshi :** May I ask whether this condition about fair conditions to be given by contractors applies to the other Departments of the Government of India such as the contractors of the Supply Department ?

**The Honourable Dr. B. R. Ambedkar :** If my Honourable friend will give me notice I will make inquiries.

**Mr. N. M. Joshi :** The question was about contractors taking Government contracts, not only the Public Works Department. The Honourable Member only answered for the Public Works Department. He should have answered for the Government of India.

**The Honourable Dr. B. R. Ambedkar :** That question should be addressed to the Supply Department.

**Mr. N. M. Joshi :** May I ask whether there is a central Government of India or only a Government of India divided into ten or eleven of twelve members ?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member knows that questions have to be addressed to the Departments concerned.

# 7

## * Bevin Boys Selected from India for Training in the United Kingdom

**Dr. Sir Ziauddin Ahmad :** (a) Will the Honourable the Labour Member be pleased to state what is the total number of Bevin Boys selected by the Government of India for training in the United Kingdom ? In how many batches were they sent ? How many of those were (i) Muslims, (ii) persons belonging to scheduled caste, in each

* Legislative Assembly Debates (Central), Vol. III of 1942, 23rd September 1942, pp. 455-56.

batch, separately? (b) What minimum qualifications did the Government prescribe for selection? Were they all manual labourers in the factories?

**The Honourable Dr. B. R. Ambedkar:** (a) 304 Bevin trainees have so far been selected for training in die United Kingdom. Five batches have actually been sent so far, one of 54 and four of 50 each. A tabular table is given below, showing the communal composition of the five batches already sent and the sixth batch now selected. It shows that 50 Muslims were sent out of 304.

| | | 1st | 2nd | 3rd | 4th | 5th | 6th | Total |
|---|---|---|---|---|---|---|---|---|
| Hindus | ... | 21 | 25 | 27 | 29 | 26 | 34 | 162 |
| Muslims | ... | 13 | 9 | 8 | 8 | 8 | 4 | 50 |
| Anglo-Indians | ... | 4 | 5 | 4 | 3 | 7 | 3 | 26 |
| Indian Christians | ... | 4 | 7 | 6 | 8 | 4 | 4 | 33 |
| Parsis | ... | 6 | 3 | 3 | 3 | 1 | 3 | 19 |
| Sikhs | ... | 2 | 1 | 2 | 3 | 4 | 2 | 14 |
| | | 50 | 50 | 50 | 54 | 50 | 50 | 304 |

No information is available as to the number of Scheduled Caste trainees in the first 5 batches. Particulars in the case of the 6th batch are awaited.

(b) The following are the minimum qualifications required. Candidates—

(1) must be young and healthy but not below die age of eighteen;

(2) must be intelligent, able to read, write and do simple calculations, and possess manual dexterity and a sufficient knowledge of English to understand and make themselves understood.

(3) must belong to one of the engineering trades preferably fitting, turning or maching;

(4) must have had a minimum of three years' experience of factory work and have given proof of intelligence and adaptability; and

(5) must be medically fit and free from all traces of tuberculosis. A limited number of students were included in the first two batches, but it was then decided to restrict die Scheme to men of me working classes and mat rule has since been enforced.

**Sir Cowasji Jehangir :** Is it a fact that some of these young boys have not found employment ?

**The Honourable Dr. B. R. Ambedkar :** My information is that a great many have found employment.

**Babu Baijnath Bajoria :** How many have returned ?

**The Honourable Dr. B. R. Ambedkar :** 149, light believe.

**Babu Baijnath Bajoria :** What is the test of intelligence to which the Honourable Member has referred ?

**Sir Cowasji Jehangir :** Is it a fact that some of these boys have been offered less wages than they were earning before they left for this training ?

**The Honourable Dr. B. R. Ambedkar :** Not to my knowledge.

**Sir Cowasji Jehangir :** Will the Honourable Member inquire as to how many arc unemployed ?

**The Honourable Dr. B. R. Ambedkar :** Very few, to my knowledge, arc unemployed.

**Mr. Jamnadas M. Mehta :** Were they sent under **a** guarantee of employment ?

**The Honourable Dr. B. R. Ambedkar:** No guarantee of employment.

**Dr. Sir Ziaucklin Ahmad :** Will Government consider the employment of Bevin boys for training as war technicians ?

**The Honourable Dr. B. R. Ambedkar :** I will consider that.

# 8

## * Recruitment of Scheduled Caste Boys under the Bevin Scheme

**Rao Bahadur N. Sivaraj :** (a) Will the Honourable the Labour Member please state the number of scheduled castes boys recruited under the Bevin Scheme ?

(b) What steps do Government propose to take to secure adequate representation of these castes ?

**The Honourable Dr. B. R. Ambedkar :** (a) No particulars were kept in respect of the first five batches. Particulars are being collected

* Legislative Assembly Debates (Central), Vol. Ill of 1942, 23rd September 1942, p. 457.

about the sixth batch which will sail shortly and statistics will be kept of all future batches.

(b) Candidates for training under the scheme are selected by the National Service Tribunals and Government have suggested to the Chairmen of these Tribunals that when making their selections they should associate with the Tribunal non-officials of influence belonging to the Scheduled Castes preferably members of the local Legislature.

# 9

## * Approved Contractors of the Central Public Works Department

**Rao Bahadur N. Sivaraj :** (a) Will the Honourable the labour Member please State the total number of contractors on the approved list of the Central Public Works Department according to classes ? (b) How many of them belong to scheduled castes ?

**The Honourable Dr. B. R. Ambedkar :** (a) The total number of contractors on the approved list of the Central Public Works Department is 1,171, according to the classification given below :—

| | | | |
|---|---|---|---|
| 1. | Building contractors— | | |
| | Class I (No limit) | ... | 115 |
| | Class II (below Rs. 50,000) | ... | 236 |
| | Class III (below Rs. 20,000) | ... | 620 |
| | Total | ... | 971 |
| 2. | Electrical contractors— | | |
| | Class I (above Rs. 20,000) | ... | 28 |
| | Class II (below Rs. 20,000) | ... | 42 |
| | Total | ... | 70 |
| | Furniture and Sanitary contractors (no classification). | ... | 130 |

* Legislative Assembly Debates (Central), Vol. III of 1942, 23rd September 1942, p. 458.

(b) It is regretted that no information is available because the names of Hindus and of the members of Scheduled castes are indistinguishable. Moreover, it has not been the practice to enquire from contractors about their community.

**Rao Bahadur N. Sivaraj :** With reference to the last part of the Honourable Member's reply, will the Honourable Member make the necessary inquiries and get full information on the subject ?

**The Honourable Dr. B. R. Ambedkar :** I will.

**Babu Baijnath Bajoria** : Do the Government appoint contractors also on a communal basis ?

**The Honourable Dr. B. R. Ambedkar :** I am only answering a question which calls for information.

**Babu Baijnath Bajoria :** I want a reply to my question. Is it the intention of Government to appoint contractors on a communal basis, so many Muslims, so many Europeans, so many scheduled castes and so on ?

**The Honourable Dr. B. R. Ambedkar :** That is not a question that arises now. I am only giving information.

**Pandit Lakshmi Kanta Maitra :** Are building materials also produced and purchased on a communal basis ?

(No answer).

# 10.

## * Applications under Payment of Wages Act by or on behalf of Employees of Federal Railways

1. **Mr. Muhammad Azar Ali :** Will the Honourable Member for Labour please lay on the Table a statement showing the applications presented to the authorities appointed under the Payment of Wages

* Legislative Assembly Debates (Central), Vol. m of 1942, 24th September 1942, p. 507.

Act, 1936, by or on behalf of the employees of Federal Railways Between the 1st April, 1937, and the 31st August 1942, showing inter alia:

(a) the application number;

(b) the particulars of the parties, i.e., name and address ;

(c) allegations in the application ;

(d) amount of the relief claimed ;

(e) findings of the Authority, and qualifications of the Authority ;

(f) if appeal preferred, the result of the appeal together with the full description of the appellate court, and

(g) if revision preferred, the result of the revision together with the particulars of the Revisional Court ?

**The Honourable Dr. B. R. Ambedkar :** The information asked for is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war time.

# 11

## * Summons Fees under Payment of Wages Rules for Delhi Province

**2. Mr. Muhammad Azar Ali:** Will the Honourable Member for Labour please refer to Rule 18 of the Payment of Wages (Federal Railways) Rules, 1938, and to Rule 21 of the United Provinces Payment of Wages Rules, 1936, and Rule 21 of Delhi Province Payment of Wages Rules, 1937, and state the amount of the process fee for summoning the opposite party by the Authority and by the court which is prescribed for the Delhi Province ?

**The Honourable Dr. B. R. Ambedkar :** Government are advised that no process fee is leviable for issuing notices to the opposite party under the rules mentioned. This is, however, a matter of interpretation of the rules.

* Legislative Assembly Debates (Central), Vol. m of 1942, 24th September 1942, p. 507.

# 12

## *Paucity of Muslim Gazetted Officers in the Printing and Stationery Office

**23. Sir Abdul Halim Ghuznavi**: (a) Will the Honourable Member for Labour be pleased to state how many Gazetted Officers there arc in the Printing and Stationery Office of the Government of India ? Are there any Muslims among them ? If not, why not ?

(b) Is it a fact that recently the vacancy of a Second Assistant Controller in the Central Stationery Office was filled up by a Hindu Sub-deputy Collector from Bengal, ignoring the legitimate claims of Muslim candidates and in violation of the Government circular regarding the maintenance of a ratio for Muslim appointments ?

(c) Do Government propose to take any steps to increase the existing ratio of Muslim Gazetted Officers for safeguarding the interest of Muslims ?

(d) Is it a fact that Government propose to create shortly one post of Assistant Controller and another of Superintendent in the Central Stationery Office ? If so, will they be pleased to reserve these appointments for Muslims ?

**The Honourable Dr. B. R. Ambedkar :** (a) Presuming that the Honourable Member refers to the Stationery and Printing Department as a whole, the number of gazetted officers is 24 of which two posts are at present held by Muslims. The last part docs not arise.

(b) Yes. The reply to the second part is in the negative.

(c) All gazetted posts in the Stationery and Printing Department are selection posts appointments to which are made by selection on merits in accordance with existing rules. Assurance to increase the proportion of Muslims to such posts will not be in conformity with those rules.

(d) There is no proposal to create any additional post of Assistant Controller in the Central Stationery Office. A temporary post of Superinendent has recently been sanctioned for that office for **a** period of less than three months. Orders regarding communal

* Legislative Assembly Debates (Central), Vol. I of 1943, 11th February 1943, p. 71.

representation do not apply to the filling of temporary vacancies of such duration. The post in question will not accordingly be reserved for a Muslim.

**Mr. Lalchand Navalrai :** May I know from the Honourable Member if these officers are selected by the Public Service Commission or by the higher officer themselves ?

**The Honourable Dr. B. R. Ambedkar :** I must have notice of that question.

**Mr. Lalchand Navalrai :** May I know from the Honourable Member if appointments arc made by promotion; and in case of promotion are recruitments made on a communal basis or otherwise ?

**The Honourable Dr. B. R. Ambedkar :** The communal ratio does not apply to promotions.

**Mr. Lalchand Navalrai :** Therefore, may I know whether in this case the officers are taken by promotion ?

**The Honourable Dr. B. R. Ambedkar :** Yes.

# 13

## * Paucity of Muslims in Calcutta Central Stationery Office, etc.

**24. Sir Abdul Halim Ghuznavi:** (a) Will the Honourable Member for labour please state how many Superintendents and Head Assistants there are in the employ of the Central Stationery Office, the Calcutta Press and the Central Forms Store located in Calcutta ? What proportion of these appointments are held by Muslims ?

(b) What is the total number of Assistants and clerks employed in the Central Stationery Office, the Calcutta Press and the Central Forms Store located in Calcutta separately ?

(c) What is the proportion of Muslims in each office and in each cadre ?

(d) How many new posts of Assistants have been created in each of the above three offices and how many of them were filled by Muslims ?

* Legislative Assembly Debates (Central), Vol. I of 1943, 11th February 1943, p. 72.

(e) If the number of Muslims in employ is not commensurate with the ratio laid down by the Government circular, why has no attempt been made to rectify things ?

(f) Is it a fact that some junior Hindu clerks with minimum educational qualifications and meagre office experience were promoted to the cadre of Assistants in the Central Stationery Office during the year, thereby superseding the claims of senior Muslim clerks ?

**The Honourable Dr. B. R. Ambedkar**: (a), (b), (c) and (d). A statement containing the required information is laid on the table.

(e) The Government circular applies to direct recruitment and is being followed. No question of rectification arises.

(f) No. As posts of Assistants are filled by selection on merit the question of supersession of senior men does not arise.

Statement showing the Number of Assistants and Clerks employed the proportion of Muslims in those categories and the Number of posts of Assistants created owing to war in the Central Stationery Office, the Central Forms Store and the Calcutta Press.

(a) Two Superintendents and ten Head Assistants. None of them is a Muslim.

(b) and (c).

| Assistants | | No. | Proportion of Muslims per cent |
|---|---|---|---|
| Central Stationery Office | ... | 31 | 9.7 |
| Central Forms Store | ... | 13 | 7.7 |
| Calcutta Press | ... | 5 | Nil |
| Clerks— | | | |
| Central Stationery Officer | ... | 329 | 19.1 |
| Central Forms Store | | 166 | 21.1 |
| Calcutta Press | | 49 | 20.4 |
| (d) | | Assistants' post created as a result of the war | No. of Muslims |
| Central Stationery Office | ... | 13 of which 11 filled | 1 |
| Central Forms Store | ... | 9 (none yet filled) | ... |
| Calcutta Press | ... | Nil | Nil |

*Note.*—Figures given against the Central Stationery Office include the number of Assistants and clerks employed in the Stationery Store Branch to which the communal orders were applied from the 18th June, 1942.

# 14

## * Working Hours of the Central Stationery Office

25. **Sir Abdul Halim Ghuznavi:** (a) Will the Honourable Member for Labour please state if it is a fact that the working hours of the Central Stationery Office have been extended by thirty minutes ?

(b) Is it a fact that a concession of thirty minutes allowed to Muslim employees in the Central Stationery Office during the last Ramzan was disallowed ? If so, why ?

(c) Is it a fact that the working hours in certain branches of the Central Stationery Office have been further extended by sixty minutes ? If so, are Government prepared to sanction overtime allowance to the employees of those branches for the extended time ?

**The Honourable** Dr. B. R. Ambedkar: (a) Yes.

(b) Yes. The concession was previously allowed on the analogy of local Government orders. It was disallowed in 1942 as the Government of Bengal withdrew the concession in view of earlier closing hours.

(c) Yes. As a temporary measure for a short period only. To tide over the rush of work in connection with Defence supplies the staff of certain branches was required to remain in office one hour more. It is not customary to pay for such additional overtime to non-industrial staff.

# 15

## @ Announcement *re* Grant of Inadequate Dearness Allowance to Workers

**Mr. President** (The Honourable Sir Abdur Rahim) : The next one is also in the name of Mr. Jamnadas Mehta. He wishes to discuss a definite matter of urgent public importance, namely, the extreme discontent created among nearly three lakhs of workers in the employment of the Government of India by the action of the latter in

* Legislative Assembly Debates (Central), Vol. I of 1943, 11th February 1943, pp. 72-73.

@ *Ibid.,* 12th February 1943, p. 169.

failing to consult their respective Trade Unions, before announcing a very meagre and inadequate grant of Dearness Allowance to the workers concerned.

When was this announcement made ?

**Mr. Jamnadas M. Mehta :** On the 23rd January this year.

**Mr. President** (The Honourable Sir Abdur Rahim): After the last Session ?

**Mr. Jamnadas M. Mehta :** Yes, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): Who is the Member in charge ?

**The Honourable Dr. B. R. Ambedkar** (Labour Member): I do not think that the failure to consult Trade Unions is a matter of urgent public importance.

**Mr. President** (The Honourable Sir Abdur Rahim): Why ?

**The Honourable Dr. B. R. Ambedkar :** It is not a definite matter, because there has been no obligation placed upon Government by any……

**Mr. President** (The Honourable Sir Abdur Rahim)**:** That may be an answer on the merits. This announcement was made on the 23rd January ?

**The Honourable Dr. B. R. Ambedkar :** That is so.

**Mr. President** (The Honourable Sir Abdur Rahim) **:** The allegation is that there is considerable dissatisfaction among the workers who number three lakhs. That suggests that it is rather an important public matter. I hold that the motion is in order.

**The Honourable Dr. B. R. Ambedkar :** I object to the motion.

**Mr. President** (The Honourable Sir Abdur Rahim) **:** As objection has been taken will those who are in favour of leave for the motion being granted rise in their places ?

(More than 25 Members stood up.)

As not less than 25 Members are for leave being granted, the motion will be taken up at 4 p.m. or earlier, if the business on the agenda is finished earlier. I take it that that is the desire of the House.

# 16

## * Desirability of Raising the Standard of Labour Wages

**86. Dr. Sir Zia Uddin Ahmad :** (a) Will the Honourable the Labour Member please state what is the standard by which the wages of labourers are determined ?

(b) In view of the fall in the purchasing power of a rupee from sixteen to six annas, have the Government of India taken any action to enforce proportionate rise in the daily wages of labourers ? If not, why not ?

The Honourable Dr. B. R. Ambedkar : (a) The question of wages is generally a matter of contract between the employer and labour.

(b) The rise in the cost of living, which amounts to a fall in purchasing power, has not been uniform throughout India.

The Government of India has not taken action to enforce increase in wages or to grant any specific dearness allowance for the following reasons—

(1) Government has not as yet accepted the policy of fixing a minimum wage by law. That is a matter which needs to be considered before any compulsion is enforced.

(2) There are no index numbers throughout India which can be relied upon to measure the actual cost of living and consequently no specific dearness allowance can be prescribed.

(3) The rise in the cost of living not being uniform, it is not possible to lay down from the Centre a policy which could be applicable to all Provinces having regard to the diversity of circumstances obtaining in them.

The appointment of Labour Commissioners and the provision made for adjudication under the Defence of India Rules in the case of disputes occurring in war time are steps taken by Government to ensure fair conditions of work for labour.

**Mr. N. M. Joshi** : May I ask when Government propose to undertake legislation for fixing up the minimum wages ?

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* Legislative Assembly Debates (Central), Vol. I of 1943, 16th February 1943, pp. 267-68.

**The Honourable Dr. B. R. Ambedkar :** It is not possible to undertake any such legislation during the war period.

**Mr. N. M. Joshi:** May I ask what is the difficulty created by the **war** period to undertake legislation of this kind ?

**The Honourable Dr. B. R. Ambedkar :** It is a controversial legislation.

**Mr. Hooseinbhoy A. Lalljee :** Has any attempt been made to find out the cost of living or the Index number ?

**The Honourable Dr. B. R. Ambedkar :** There is only one province where Index numbers arc framed, namely, Bombay.

**N. M. Joshi:** May I ask whether Government realises that the **Act** prohibiting the strikes and lock-outs is a step which necessitates a dispute and whether such a necessity of creating a dispute the war time is in the interests of war effort ?

**The Honourable Dr. B. R. Ambedkar :** I do not think the premise is correct.

**Mr. N. M. Joshi :** May I ask which part of the premise is correct.

**The Honourable Dr. B. R. Ambedkar :** The fact that we have on the statute book a legislation does not necessarily involve that it will give rise to disputes as mentioned by the Honourable Member.

**Mr. N. M. Joshi:** May I ask whether the Government docs not realise.

**Mr. President** (The Honourable Sir Abdur Rahim): That is arguing.

**Dr. Sir Zia Uddin Ahmad :** Will the Government try to find out the price Index of bigger towns having a population of more than 200,000 ? This information is rather important for us.

**The Honourable Dr. B. R. Ambedkar :** Unless we have an Act which enables the Government to collect statistics, it is not possible to have Index numbers prepared throughout India.

**Mr. N. M. Joshi :** May I ask whether the Honourable Member is aware that there is an Act of the Central legislature which enables the Government to collect statistics ?

**Mr. President** (The Honourable Sir Abdur Rahim): Next question.

# 17

## * Discontentment among Factory Labourers

**87. Dr. Sir Zia Uddin Ahmad** : (a) Is the Honourable Member for Labour aware that there exists great discontentment among the factory labourers on account of the fact that the capitalists who are making abnormal profits do not give an adequate share to their labourers in the form of rise in their wages ?

(b) What action has the Honourable Member taken to force the capitalists to give a share of their profits to persons by whose labour the profit is achieved ?

(c) Is the Honourable Member aware that the unrest in the factory labour is not due so much to political consciousness as it is due to economic coercion of their employers ?

**The Honourable Dr. B. R. Ambedkar :** (a) Where there is, as now, a tendency for prices to rise and where profits are being made, labour is always likely to claim an increase in emoluments Government are aware that such claims are being put forward.

(b) A considerable portion of the profits of industry goes to Government in the shape of Excess Profits Tax. Out of the part left to the employers, many employers are distributing bonuses. Government has not found it necessary at present to take any action, for the purpose indicated.

(c) The question is not understood.

**Dr. Sir Zia Uddin Ahmad :** Have the Government found out the names of those factories which are giving the bonus to their employees ?

**The Honourable Dr. B. R. Ambedkar :** Yes, we have. If the Honourable Member wants the information, it can be supplied to him.

**Dr. Sir Zia Uddin Ahmad :** Are all these factories giving this bonus or only some of them ?

**The Honourable Dr. B. R. Ambedkar :** If my Honourable friend puts down a question, I can give the detailed information on the point.

* Legislative Assembly Debates (Central), Vol. I of 1943, 16th February 1943, p. 268.

# 18

## * Household Budget of a Labourer

88. **Dr. Sir Zia Uddin Ahmad :** (a) Will the Honourable the Labour Member please lay on the table the normal house-hold budget of a labourer for 1943, who earns eight annas a day and who has to support his family which normally consists of six persons ?

(b) What is the grain consumption of such a family and what price is to be paid ?

(c) What action have the employers of labour taken to feed their labourers ?

**The Honourable Dr. B. R. Ambedkar :** (a) There is no uniform budget for a labourer throughout India. It is regretted also that no family budget figures for 1943 can be supplied for any area. The statistics about family budgets in Bombay in some previous years can be supplied if the Honourable Member so desires.

(b) In the absence of statistics it is not possible to say what the grain consumption of a labourer's family is. Diets and prices vary in different areas.

(c) A number of employers have opened grain shops or canteens and the Government of India are advising the main All-India Employers Associations that they regard such opening as very desirable. The attached statement gives a summary of information so far available with the Government of India.

### Statement

(The information is the latest available but is not up-to-date.)

Madras.—Thirty-one factories have grain shops ; 13 of them have been opened by employers and 18 by workers' Co-operative Societies, which are in several cases assisted by employers.

In 50 factories employers have laid in reserves of essential food articles against an emergency ; in six factories arrangements have also been made to supply cooked food to workers in an emergency.

In two factories employers are running canteens for workers.

Bengal—In 146 factories there are grain shops and emergency reserves are also held by them. Besides emergency grain stocks alone are held by 35 factories. Arrangements for supply of cooked food during an emergency exist in 73 factories.

Bombay/Punjab.—Detailed information is not available. But many employers have opened grain shops and have made arrangements as far as possible to hold emergency stocks of grains.

* Legislative Assembly Debates (Central), Vol. I of 1943, 16lh February 1943, pp. 268-69.

**Bihar.**—Seven employers, including the leading employers, have opened grain shops for their workers and are maintaining as far as possible emergency stocks of foodstuffs. One prominent employer has advanced capital to a Co-operative society of workers for running grain shops and has also provided storage accommodation at reduced rent.

**United Provinces.**—All the large Cawnpore factories have grain shops and emergency reserves are laid in as far as possible.

**Central Provinces and Berar.**—About 14 grain shops have been opened by employers ; one employer is helping a trade union to open such a shop. About seven prominent employers and one Co-operative society have made or arc making arrangements for storing food grains for an emergency.

**Sind.**—Seven leading employers in Karachi and Hyderabad (Sind) have opened grain shops.

Employers of all essential services have been required to keep within the work premises emergency stocks of foodstuffs with cooking arrangements and prominent employers have complied.

One leading concern at Karachi has set up a canteen for supplying cooked food and milk to its employees.

**Assam.**—Employers of industrial labour have made adequate arrangements for supply of foodstuffs by opening grain shops, etc.

**Dr. Sir Zia Uddin Ahmad:** May I know whether the Labour Department has any hand in the fixation of the prices for the poor people ?

**The Honourable Dr. B. R. Ambedkar : No.**

# 19

## * Measures for Making Essentials Available to Labourers

**89. Dr. Sir Zia Uddin Ahmad :** (a) Will the Honourable the Labour Member be pleased to state what action his department has taken to safeguard the interests of labourers in getting their essential of life specially food stuffs ? If none, why ?

(b) What steps, does the Honourable Member propose to take to ensure that the poor people get enough to eat and prices comparable to their wages ? If none, why ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). The question has been engaging the attention of Government for some time and is now considered in the Food Department. Instructions have been issued to Provincial Governments to give priority of supplies to essential civil personnel, including industrial labour engaged in essential employments.

* Legislative Assembly Debates (Central), Vol. I of 1943, 16th February 1943, p. 269.

# 20

## * Measures for Ameliorating the Economic Condition of Labourers

**90. Dr. Sir Zia Uddin Ahmad :** (a) Will the Honourable the Labour Member be pleased to state what steps he has taken to ameliorate the economic condition of labourers ?

(b) In what manner does he propose to safeguard the interests of labourers ?

(c) Is he prepared to reorganise the unions of labour and to place them in a position to safeguard their own interests ?

**The Honourable Dr. B. R. Ambedkar :** (a) Both in legislative and executive action Government have striven to ensure fair conditions to labour. A copy of Press Note issued when I met the Press is attached for Honourable Member's information. It will give some idea of the ameliorative provisions. If the Honourable Member desires any more detailed information on specific points, it will be supplied.

(b) This is already replied to under (a).

(c) It is not for Government to reorganise labour unions.

## @ Labour Welfare in Wartime India

*In view of the appointment of a number of Assistant Labour Welfare Officers who will soon be posted to important industrial areas, we may take stock of what is being done for Labour's betterment in wartime India.*

*The old concept of a government's job being to govern, to maintain law and order, has given place to a new ideal in which the responsibility of an administration for the material and cultural well-being of the people is recognised. In India Labour is mainly a provincial subject and we at the Centre have heretofore been responsible mainly in securing uniformity in Labour legislation and adherence to such of the International Labour Office Conventions as are practicable for India. Our legislation though comprehensive has been confined more to conditions of service and industrial relations than to such matters as wages and welfare.*

*In wartime some curtailment of Labour's rights is necessary to ensure continuance of production but in the very process of effecting*

* Legislative Assembly Debates (Central), Vol. I of 1943, 16th February 1943, pp. 270-71.

@ *Ibid.* Press Note, dated 30th October, 1942. (Summary of Statement made by the Hon'ble Dr. B. R. Ambedkar.).

*those necessary curtailments we have been able to give Labour certain big advantages. Thus under the Essential Services Maintenance Ordinance workers must stick to their jobs. Simultaneously this ordinance guarantees men in essential industries fair terms of employment. Provision has had to be made to ensure the best use of the technical personnel, but here too statutory provision ensures their conditions of service being fair. So also while strikes without notice have been made illegal, adequate provision has been made for adjudication and power taken to enforce the results of such adjudication.*

*While therefore some restrictions have been imposed on Labour, there has been a development of Government's powers to ensure fair conditions of employment, the influence of which is likely to survive.*

*Another matter in which developments resulting from the war are bound to have a lasting effect are the training schemes of the Labour Department and the novel experiment of sending skilled workers to England for further training. The Bevin Boys whose period in England has given Indian Labour an insight into English working class conditions and organisations, have themselves benefited by the training to such an extent that they now on the average earn two and a half times their former salaries. The scheme for training raw hands in India which will train 70,000 skilled workers by June 1943, must have even greater result:, as this large increase in the skilled labour force of the country must be of the greatest value to India's post-war industrial revival.*

*Coming to our new Labour Welfare organisation, the best indication of the spirit which animates the Department is the choice of a Labour Welfare Adviser made by my colleague, the Honourable Sir Firoz Khan Noon. Mr. R. S. Nimbkar has been a labour leader all his life. He has been in and out of prison constantly in the cause of Labour. His work for the Bombay Girni Kamgar Union, one of India's biggest unions, has shown his capacity as an organiser of workers, while he has served his home town and India as a member of the Bombay Municipal Corporation and as a delegate to the International Labour Conference where he was one of a team led by Sir Firoz Khan Noon. We are fortunate to have him now as a Government worker and you may be sure we will use his services to the utmost. So successful has been his work so far that we have now appointed seven Assistant Labour Welfare Officers to help Mr. Nimbkar. For the past three or four days these new Labour Welfare Officers have been here in Delhi in the Labour*

*Department learning something of the work before them. Shortly they (and an eighth officer, who is expected to join soon) will be sent to various areas where it is hoped they will maintain contacts on behalf of the Central Government with Labour. Their duties will be, on the one hand, to keep the Central Government apprised of Labour conditions and feeling and particularly of grievances of Labour in different parts of India and, on the other, to explain to the workers the policy of the Central Government In Labour matters. They can also help to secure the co-operation of the workers in bringing A.R.P. arrangements to the highest pitch of efficiency.*

*The work of these officers will, it is hoped, bring the Central Government into closer touch with such Labour aspects as concern them (Labour is of course largely a provincial subject) and will help in the development of one of the main planks In Government's policy..... that is tripartite collaboration between employer, employee and Government. We held our first tripartite conference last August—the Standing Committee of that conference will meet in December and we hope that these meetings will be held frequently in the future and lead to a well developed Labour policy throughout this country.*

**Dr. Sir Zia Uddin Ahmad:** With reference to part (c) of the question, may I ask whether the Government are contemplating to introduce any legislation on this point ?

**The Honourable Dr. B. R. Ambedkar :** Yes, Sir.

# 21

## * Communal Composition of the Engineering Service in the Central Public Works Department

**100. Maulvi Muhammad Abdul Ghani :** Will the Honourable member for Labour please state :

(a) the number of officers of the Engineering service selected and appointed in the Central Public Works Department from the Public Works Department of every province during the last 3 years with their nationalities and creed ;

(b) the criterion, if any, for such selection and appointments ;

* Legislative Assembly Debates (Central), Vol. I of 1943, 16th February 1943, p. 279.

(c) whether the Home Department Resolution of 1934 regarding communal composition of services applies to such appointments ;

(d) if the reply to part (c) be in the negative, the reason and the order of the Government, if any, on the subject; and

(e) the total strength of officers in the Engineering service of the Central Public Works Department and the number of Muslim and Sikh officers of such services ?

The Honourable Dr. B. R. Ambedkar : (a) The collection of this information to cover officers of every grade would involve an amount of time and labour which would not, in the opinion of Government, be justifiable in war time. The number of gazetted officers is, however, 83. Their nationalities are : five Europeans, rest Indians. Creeds : Hindus 61, Muslims 10, Sikhs 2, others 10.

(b) In the case of three appointments, which have been made on a permanent basis, the selection of the officers was made in consultation with the Federal Public Service Commission and with due regard to the requirements of the Home Department Resolution of 1934 regarding communal representation in the public services. The rest of the appointments are all temporary, the officers concerned having been obtained on loan from Provincial Governments for the execution of certain specific works. In these cases, the officers were selected and placed at the disposal of the Government of India by the Provincial Governments themselves, in accordance with the requirements of the Government of India indicated to them from time to time.

(c) No, so far as the temporary appointments mentioned in the answer to clause (b) are concerned : Yes, so far as the permanent appointments referred to above are concerned.

(d) The Home Department Resolution of 1934 does not apply to persons who are on deputation for a definite period and are expected to revert to their substantive posts thereafter.

(e) The total strength of gazetted officers is 174, of whom 18 are Muslims and 8 Sikhs. Figures of non-gazetted staff cannot be readily given.

**Maulvi Muhammad Abdul Ghani :** May I know the number of officers recruited from Bihar Public Works Department in the Central Public Works Department ?

**The Honourable Dr. B. R. Ambedkar :** I require notice of that.

# 22

## * Monopoly of Export of Mica to the Joint Mica Mission and Metal Reserve Company of the United States of America

**104. Babu Baijnath Bajoria :** (a) Will the Honourable the Labour Member be pleased to state whether it is a fact that export of Mica is allowed only when effected by the Joint Mica Mission and Metal Reserve Company of the United Slates of America and none else is allowed to export Mica to any country outside India ?

(b) If the answer to part (a) be in the affirmative, for what reasons and on what conditions has such a monopoly of export of Mica been granted to the above mentioned foreign interest ?

(c) Is the Honourable Member aware that such restrictions of export have resulted in these concerns securing Mica in India at much lower rates and making enormous profits for themselves by selling at much higher rates in America and other allied countries ?

(d) Are these concerns Government concerns or private companies ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) Does not arise.

(c) The prices at which the Joint Mica Mission secures mica have been fixed with the prior approval of the Government of India. The prices are in the opinion of the Government of India fair and reasonable. The prices offered by the Mission are almost invariably higher than or equal to the standard prices ruling before the Mission began to operate. Furthermore the Mission is prepared to buy all mica of merchantable quality which is offered to it. This covers practically the whole range of useful mica and may include mica which would previously not have found a market at all. The Metals Reserve

* Legislative Assembly Debates (Central), Vol. I of 1943, 16th February 1943, pp. 281-82.

Company is not now buying mica in India. It bought certain quantities of mica in 1940-42 under contracts with the Government of India and the large increase in production in Indian mica in 1941 was largely the result of these purchases. The prices which it paid were fair and reasonable. Neither the Joint Mica Mission nor the Metals Reserve Company are profit-making concerns.

(d) The Joint Mica Mission is a Government concern. It consists of three British and three American members appointed by the Government of Great Britain and of the United States of America. One of the British members is Chairman. The Mission buys mica for the Ministry of Supply in the case of the United Kingdom and for the Metals Reseve Company of the United States of America in the case of the United States of America. The Metals Reserve Company is a corporation created by the Reconstruction Finance Corporation of the United States of America under section 5 (d) of the Reconstruction Finance Corporation Act and is a duly organised agency of the Government of the United States of America.

**Babu Baijnath Bajoria :** With regard to para. (a) of the question, the Honourable Member has said "No". Does it mean that other supply firms are allowed to export mica from India ?

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend will find answer to that in the next question.

**Babu Baijnath Bajoria :** But you have already said "No" to part (a) of my question.

**The Honourable Dr. B. R. Ambedkar :** Yes.

**Babu Baijnath Bajoria :** That means that other firms will be allowed to export mica from India.

**The Honourable Dr. B. R. Ambedkar :** There is no prohibition ; there are certain conditions prescribed.

**Babu Baijnath Bajoria :** As regards (c), is the Honourable Member aware that the Joint Mica Mission have raised the standard of quality and reduced the rate thereby ?

**The Honourable Dr. B. R. Ambedkar :** No. The answer to that also will be found in the next question.

# 23

## * Plan for Providing Against Mass—Unemployment of Indian Labour

@ 103. **Mr. Govind V. Deshmukh :** Will the Honourable Member for Labour please state if he has planned any scheme to provide against mass unemployment of Indian Labour so that it may enjoy freedom from want of necessaries of life ? If so, what ?

**The Honourable Dr. B. R. Ambedkar :** No formal scheme to provide against mass unemployment has been planned.

In War time the scope for employment has increased enormously. As regards post-war conditions, the Reconstruction Committee appointed in the Commerce Department will devote attention to them.

# 24

## † Monopoly of Export of Mica to the Joint Mica Mission and Metal Reserve Company of the United States of America

105. **Babu Baijnath Bajoria** : (a) Will the Honourable the Labour Member please state if it is a fact that when the Joint Mica Mission assumed control of export of Mica from this country, they gave an undertaking to the Government of India that they would purchase the entire production of Indian Mica ?

(b) If the answer to the part (a) be in the affirmative, what steps are Government taking for the implementing of this undertaking ?

(c) Is the Honourable Member aware that the Joint Mica Mission is purchasing only scheduled qualities of Mica and refuses to purchase other qualities, e.g. lower grade splittings and Block Mica, and many a time refuses to purchase even certain scheduled qualities, which has resulted in large stocks of these qualities remaining unsold in the hands of Indian merchants ?

* Legislative Assembly Debates (Central), Vol. I of 1943, 16th February 1943, p. 281.

@ Answer to this question laid on the table, the questioner being absent.

† Legislative Assembly Debates (Central), Vol. I of 1943, 16th February 1943, pp. 282-83.

(d) What steps are Government taking so that the industry may be able to dispose of its stocks of qualities not purchased by the Joint Mica Mission ?

(e) Are Government prepared to permit the export of Mica by private firms to the United States of America and other Allied countries ? If not, why not ?

(f) Are Government aware that since the Joint Mica Mission is controlling the purchase and export of Mica, the production of loose Mica splittings has considerably decreased and several thousands of workers have been thrown out of employment due to the closing of numerous factories and home splitting centres ?

**The Honourable Dr. B. R. Ambedkar :** (a) The Joint Mica Mission has not assumed control of export of mica from this country. It has, however, undertaken to purchase all mica offered to it which is of merchantable quality and which is trimmed and graded to the usual recognised trade standards.

(b) Government have no reason to suppose that the Mission is not implementing the undertaking.

(c) The Mission is only purchasing scheduled qualities of mica ; no other qualities are merchantable among the United Nations. Such qualities can however be exported to neutral countries provided they do not conflict with any general orders issued by Government. The Mission never refuses to purchase schdeuled qualities of mica provided they arc up to the Mission's standards. The Government of India are not aware that there arc any large stocks of scheduled qualities of mica remaining unsold.

(d) Qualities of mica not purchased by the Joint Mica Mission are not merchantable in the United Nations. Government are accordingly not taking steps to assist the industry to dispose of such stocks. In the unlikely event of such stocks being merchantable in neutral countries, Government have no objection to the issue of licences for the export of such stocks provided they do not conflict with any general orders issued by Government.

(e) Export of mica by private firms is not prohibited. The United Nations will however not import mica by private firms but will only import mica purchased by the Joint Mica Mission. The United Nations require all merchantable mica which the mica industry in India can

produce. The sale of mica to the United Nations has been canalised through the Joint Mica Mission because the United Nations including the Government of India consider that a single purchasing agency buying on the spot provides the quickest and easiest means of providing mica in the very large quantities now required by the United Nations.

(f) The United Nations already have considerable stocks of mica splittings and their principal requirements are now of block mica. Nevertheless the Mission continues to buy all mica which comes split from the mines. They will not however buy mica which is split from old dumps and such mica is no longer merchantable among the United Nations. Such mica can however be sold in neutral countries provided such sale does not conflict with any general orders issued by Government. Government are not aware that any factories have been closed, although possibly a number of home splitting centres may have been closed.

**Babu Baijnath Bajoria :** As regards part (a), again I repeat the question that there is a demand for Mica of other varieties in America and that is not being allowed to be exported.

**The Honourable Dr. B. R. Ambedkar:** I am not aware of that.

**Babu Baijnath Bajoria :** Will you make inquiries ? If there is a demand in the U.S.A. of the qualities which this Mission does not buy then private firms should be allowed to export those qualities to America.

**The Honourable Dr. B. R. Ambedkar:** I will make inquiries.

# 25

## * Fixation of Prices of Grades of Mica by the Joint Mica Mission

**106. Babu Baijnath Bajoria :** (a) Is the Honourable the Labour Member aware that the Joint Mica Mission fixes the prices of the various grades of Mica without any consultation with the representatives of the industry ?

* Legislative Assembly Debates (Central), Vol. I of 1943, 16th February 1943, p. 283.

(b) Is the Honourable Member aware that the Joint Mica Mission raised the standards considerably, compared to those of the Metal Reserve Company who bought through the Director, Geological Survey of India ?

(c) Arc Government aware that the Joint Mica Mission has reduced its purchasing prices by 10 per cent to 30 per cent from the ruling prices in the market and the factories are compelled to sell their products at their rates for want of any other outlet ?

(d) Is it a fact that the Government of India accepted the reduction in prices as mentioned in part (c) above ?

(c) Arc Government prepared to appoint an advisory committee consisting of representatives of mine-owners and factory-owners to advise the Joint Mica Mission on the question of fixation of prices of different qualities ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Before fixing the prices of various grades of mica, the Joint Mica Mission have invariably consulted the mica industry, including representatives of individual firms both in Bihar and Madras.

(b) The Joint Mica Mission has not raised the standards considerably. It has however raised the standards slightly in certain cases although no change has been made in splittings and films. Wherever the standard has been raised the price has been raised in proportion. Taking pre-Mission standard and price as 100, the Mission standard where it has been raised is 105 and the Mission price 110. The range of standards required by the Metals Reserve Company when buying through the Director of the Geological Survey of India was small compared with the very wide range of scheduled standards being dealt with by the Mission.

(c) The Joint Mica Mission has not reduced its purchasing prices by 10 per cent to 30 per cent.

(d) Does not arise.

(e) No. The prices offered by the Mission were fixed after consultation with the representatives of the mica industry and with the approval of the Government of India. They are in the opinion of the Government of India fair prices and the Government of India see no justification for the appointment of an Advisory Committee.

**Babu Baijnath Bajoria :** What objection can the Government have to appoint an advisory committee consisting of representatives of mincowners and factories ? That will strengthen their hands and that of the Mica Mission for purchasing the requirements of Mica.

**The Honourable Dr. B. R. Ambedkar :** The answer as stated in part (e) is that the Mica Mission does fix the price after consultation with the representatives of the Mica industry.

**Babu Baijnath Bajoria :** I do not think that is correct.

# 26

## * Irregularities in Payment of Wages to Railway Staff

109. **Mr. Lalchand Navalrai** : (a) Will the Honourable the Labour Member be pleased to state when the Payment of Wages Act, IV of 1936, was made applicable to the Railways in India,

(b) Is it a fact that several irregularities in the payment to staff have been noticed by the Labour Inspectors ?

(c) Is it a fact that the Conciliation Officer (Railways) and the Supervisor of Railway Labour, who is the Inspector under the Act, generally tries to report these irregularities to the administrations concerned for relief, if any could be given ?

(d) Is it not a fact that in several cases of late payments, etc., relief can be given lo the affected employees when once the provisions of the Payment of Wages Act have been violated ? Arc prosecutions launched in such cases to act as a deterrent ? If not, why not ?

(e) Have any prosecutions been launched against the Railway Paymasters or the administration ? If so, does the Honourable Member propose to lay a statement of such cases on the table of the House ?

**The Honourable Dr. B. R. Ambedkar :** (a) 28th March, 1937.

(b) Yes.

(c) The irregularities detected are brought to the notice of the Railway Administration for rectification.

* Legislative Assembly Debates (Central), Vol. I of 1943, 16th February 1943, p. 285.

(d) Relief can be given under section 15(3) of the Act. But no prosecutions are launched as it has always been possible to remove defects so far discovered by administrative action.

(e) No prosecutions have been launched.

**Mr. Lalchand Navalrai :** Why are the payments made late ?

**The Honourable Dr. B. R. Ambedkar :** In a huge administration such delays are bound to occur.

**Mr. Lalchand Navalrai :** What does the administration do in the case of late payments ?

**The Honourable Dr. B. R. Ambedkar :** They make the payments.

**Mr. Lalchand Navalrai :** Only make the payments, or do they do anything further ?

**The Honourable Dr. B. R. Ambedkar :** What does the Honourable Member expect the administration to do ?

**Mr. Lalchand Navalrai:** To avoid these occurrences, what does the Government do ?

**The Honourable Dr. B. R. Ambedkar :** I have no doubt that they must be trying to avoid these delays.

**Mr. Lalchand Navalrai :** But what do they do ?

**The Honourable Dr. B. R. Ambedkar :** I do not know. If the Honourable Member wants an answer, he may put down a specific question.

**Mr. Lalchand Navalrai:** Will the Honourable Member direct the administration to see that such things do not recur and that warnings be issued.

**The Honourable Dr. B. R. Ambedkar :** Yes, certainly.

# 27

## * High Rates for Contracts for Construction of Aerodromes at Gaya Nawadih

@ 143. **Mr. K.** C. **Neogy** : (a) Will the Honourable the Labour Member please state whether it is a fact that contracts for the

* Legislative Assembly Debates (Central), Vol. I or 1943, 19th February 1943, pp. 417-18.

@ Answer to this question laid on the table, the questioner being absent.

construction of certain aerodromes were sanctioned by the Chief Engineer, Central Public Works Department, originally at very high rates against which the Provincial Public Works Department was compelled to lodge protests ?

(b) Is it a fact that as a result of such protests a committee was appointed to examine these rates, and the committee reduced the rates to about one third of what were agreed upon by the Chief Engineer ?

(c) Is it a fact that the contractors also agreed lo reduce the rates correspondingly proving thereby that the rates originally awarded were abnormally high ?

(d) If the answer to (c) above be in the affirmative, what action do Government propose to take against the Chief Engineer who was responsible for sanctioning the original rates ?

**The Honourable Dr. B. R. Ambedkar :** (a) Rates for the construction of the aerodromes in question were accepted by Chief Engineer on proposals put forward by the Executive Engineer through the Superintending Engineer. The rales were high but reliable contractors were not obtainable for work of the dimensions required at lower rales at the lime the work was started. A report was received through the Divisional Commissioner complaining that these rates were unduly high.

(b) and (c) Almost a month before the receipt of any protests from the local officers the Chief Engineer had instructed the Superintending Engineer to make an enquiry and subsequently deputed his Personal Assistant and Financial Adviser to make a further enquiry. By that time conditions had become easier and it was possible to enforce reductions in the rates previously accepted. As a result some rates were considerably reduced, but no rate was reduced to one-third of the previous rates. The reductions accepted by the contractors were nil in respect of certain works, 15 per cent in respect of main runway, 50 per cent in respect of ordinary buildings, and between 30 per cent and 60 per cent in the case of special buildings. The contractor has however, refused to accept the reduced rates proposed in the case of domestic buildings which have therefore been taken away from him and given to another contractor at reduced rates.

(d) There is no case for taking any action against the Chief Engineer.

# 28

## * High Rates for Works of Landing Grounds in New Delhi Cantonment

@ 144. **Mr. K. C. Neogy :** (a) Will the Honourable the Labour Member please state whether it is a fact that the rates for works of Landing Grounds in the new Cantonment, New Delhi, were sanctioned and awarded at high levels originally, but later on they had to be reduced, and the contractors are now doing the works at these reduced rates ?

(b) If the answer to (a) above be in the affirmative, why were the higher rates sanctioned in the beginning, and under whose authority ?

(c) What action do Government propose to lake against the officers who are responsible for this state of affairs ?

(d) What precautions have been, or are going to be, taken by the Government of India to prevent a recurrence of such instances to ensure rigid economy in the execution of all such works ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). Three items of works, viz. (1) Landing Ground, (2) Domestic Buildings and (3) Technical Buildings were carried out in connection with the construction of the New Cantonment, New Delhi, Landing Ground. As regards (1) and (2) the answer is in the negative.

As regards (3) some reduction in rates was effected owing to change of specification.

(c) and (d). Do not arise.

# 29

## † Irregularities in Connection with Application of Chapter VI-A of the Indian Railways Act

**146. Mr. N. M. Joshi** (on behalf of Mr. Lalchand Navalrai) : (a) Will the Honourable the Labour Member be pleased to state when the Indian Railways (Amendment) Act XIV of 1930 came into force ?

* Legislative Assembly Debates (Central), Vol. I of 1943, 19th February 1943, p. 118.

@ Answer to this question laid on the table, the questioner being absent.

† Legislative Assembly Debates (Central), Vol. I of 1943, 19th February 1943, pp. 420-21.

(b) Is it a fact that in the annual reports of the Conciliation Officer (Railways) and the Supervisor of Railway Labour, who is an Inspector under the Act, it has been noted that the same irregularities have continued to be noticed on the Railways in connection with the application of Chapter VI-A of the Indian Railways Act ?

(c) If the reply to part (b) above be in the affirmative, has the Conciliation Officer (Railways) and the Supervisor of Railway Labour at any time invoked the aid of penalty provisions of the Indian Railways (Amendment) Act, 1930, to stop these irregularities ? If so, will the Honourable Member please lay a statement on the table of the House giving instances ?

(d) If the reply to first portion of part (c) above be in the negative, will the Honourable Member please give reaons for not enforcing the penalty clauses of the law ?

(e) Is it proposed to do so now ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar** : (a) Section 1 of the Indian Railways (Amendment) Act of 1930 came into force on the 26lh March, 1930. Section 2 came into force on different Railways on the dates given below :

North Western and East Indian Railways—1st April, 1931.

Great Indian Peninsula and Eastern Bengal (now Bengal and Assam) Railways—1st April, 1932.

Bombay, Baroda and Central India and Madras and Southern Maharatta Railways—1st November, 1935.

Bengal and North Western (now Oudh and Tirhut) Railways—1st October, 1937.

South Indian and Rohikund and Kumaon (now part of Oudh and Tirhut) Railways—1st April, 1940.

Bengal, Nagpur and Assam Bengal (now part of Bengal and Assam) Railways—1st January, 1941.

(b) Yes.

(c) No.

(d) and (c). It has not been necessary to invoke the aid of penalty provisions of the law as it has always been possible to rectify irregularities by administrative action.

# 30

## * Field of Activities of the Conciliation Officer (Railways)

147. **Mr. N. M. Joshi** (on behalf of Mr. Lalchand Navalrai): (a) Will the Honourable the Labour Member be pleased to state whether it is a fact that on the creation of his post the Conciliation Officer (Railways) was posted to Calcutta, to carry on his conciliation activities amongst the group of railways with headquarters at Calcutta ?

(b) Is it a fact that the office of the Conciliation Officer (Railways) and the Supervisor of Railway Labour has now been transferred to Lahore ? Will the field of his conciliation activities be confined to the group of railways with headquarters at Calcutta, or to the North Western Railway at Lahore or to railways with headquarters at both these places, Lahore and Calcutta ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) The headquarters of the Conciliation Officer (Railways) and the Supervisor of Railway Labour was transferred to Lahore purely as a temporary measure as a new incumbent to the post was being appointed and the Deputy Supervisor of Railway Labour whose headquarters are at Lahore was holding additional charge of the post of Conciliation Officer (Railways) and the Supervisor of Railway Labour. The headquarters have now been transferred back to Calcutta after the appointment of a new incumbent to the post.

**Mr. N. M. Joshi :** May I ask whether the Government will consider the question of extending the function of the Conciliation Officer to Railways other than those headquarters are in Calcutta ?

**The Honourable Dr. B. R. Ambedkar :** Yes, I will consider that.

**Mr. President** (The Honourable Sir Abdur Rahim): I have allowed these two questions to be put by Mr. N. M. Joshi, though the Honourable Member, Mr. Lalchand Navalrai, who gave notice of these questions had not authorised Mr. Joshi. It is ordinarily the practice that no other Member can put a question unless the Honourable Member in whose name a question stands has authorised him to do so. But in the special circumstances of this case, I have allowed Mr. Joshi to put the questions.

* Legislative Assembly Debates (Central), Vol. 1 of 1943, 19th February 1943, p. 421.

# 31

## * Help to Dependents of Enemy Air Raid Victims

183. **Mr. H. A. Sathar H. Essak Sait**: Will the Honourable Member for Labour be pleased to state :

(a) the arrangements that have been made to succour the heirs and dependents of those who are killed or injured as a result of enemy bombing in India ;

(b) whether such arrangements for their succour will come into play immediately after the raids or the dependents are expected to go through the formalities of putting up applications and undergoing enquiries, etc., before help is rendered to them; and

(c) the details of the help that was rendered to the citizens, especially the poorer section of Calcutta and other places in India, which were bombed by the enemy for:

(i) the disposal of their dead,

(ii) the treatment of the injured,

(iii) the loss of their means of livelihood, and

(iv) their rehabilitation generally ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b) Provision for relief of persons injured by enemy bombing and of the dependents of those killed by such action has been made in the War Injuries Scheme prepared by Government under the War Injuries Ordinance.

Applications for relief have naturally to be made, but the procedure has been made as expeditious as possible. When the person concerned is incapable of making an application, provision has also been made to entertain applications on his behalf.

Provision has also been made for advances by employers of amounts upto Rs. 50 in each case against awards that may be made in respect of the injury or death.

A copy of the pamphlet containing the War Injuries Ordinance Scheme and Regulations has been placed in the Library of the House.

* Legislative Assembly Debates (Central), Vol. I of 1943, 24th February 1943, p. 556.

(c) (i) and (ii) These are matters of Provincial responsibility and the Government of India are not in possession of details as to how they worked. Full advice has been given by the Government of India as to the formation of organisations for corpse disposal and the treatment of the injured and schemes on the lines recommended have in fact been put into operation. The Government of India have been informed by the Provincial Governments that the schemes worked satisfactorily. No complaints or criticisms as to their efficient working have come to the notice of the Government of India.

(iii) and (iv) The Government of India have no detailed information on these points. The scale of raiding has hitherto been light and as far as the information in the possession of the Government of India would indicate, no special problems in this connection have arisen in the case of any bombed area. It is understood that relief under the War Injuries Scheme has been granted in many cases and some cases are under investigation.

**Mr. H. A. Sathar H. Essak Sait :** With regard to part (b) has my Honourable friend satisfied himself that there was really no complaint of delays ?

**The Honourable Dr. B. R. Ambedkar :** I am not aware of any.

# 32

## * Summaries of the Proceedings of the Fourth Labour Conference and of Meetings of the Standing Labour Committee

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : Sir, I lay on the table a copy@ each of the following :

(1) Summary of Proceedings of the Fourth Labour Conference (First Tripartite Conference) held on 7th August, 1942.

(2) Summary of Proceedings of the First meeting of the Standing Labour Committee held on 30th November and 1st December, 1942.

(3) Summary of Proceedings of the Second meeting of the Standing Labour Committee held on 25th January, 1943.

* Legislative Assembly Debates (Central), Vol. I of 1943, 25th February 1943, p. 603.

@ *Not included in these Debates, but a copy of each has been placed in the Library of the House.*—Ed. of D.

# 33

## * Desirability of Applying the Control of Rent Act to the Notified Area, Shahdara and Delhi

**211. Mr. Muhammad Azhar Ali :** Will the Honourable Member for Labour please state :

(a) if it is a fact that most of the workers employed in the industrial, commercial and Government offices at Delhi reside within the Notified Area, Shahdara and Delhi.

(b) if it is a fact that the said workers are mostly low paid staff and are in greater number than the residents of the Notified Area, Civil Station, Delhi, and the newly expanded areas of Daryaganj and Karol Bagh, Delhi, where the Control of Rent Act applies;

(c) the reasons for not applying the Control of Rent Act to the Notified Area, Shahdara, Delhi ; and

(d) if Government propose to apply the Control of Rent Act to the residential buildings within the Notified Area, Shahdara and Delhi, if not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b) I am prepared to take these facts from the Honourable Member.

(c) and (d) It is not administratively practicable to apply the New Delhi House Rent Control Order, 1939, to these areas, but the Punjab Urban Rent Restriction Act has been extended to them.

**Mr. Lalchand Navalrai:** What are the reasons for not applying the New Delhi House Rent Control Order, 1939 ?

**The Honourable Dr. B. R. Ambedkar:** Because one is more expeditious.

* Legislative Assembly Debates (Central), Vol. I of 1943, 2nd March 1943, p. 653.

# 34

## * House Rent Control Cases in New Delhi

†228. **Khan Bahadur Shaikh Fazl-i-Haq Piracha :** Will the Honourable the Labour Member please state :

(a) the number of cases decided by the Rent Controller, New Delhi, regarding the extension of tendency of houses in New Delhi in 1942;

(b) whether there were cases in which the landlords applied that they required the houses for their own use ;

(c) if the answer to (b) be in the affirmative, how many applications from the landlords were rejected and how many accepted ; and

(d) if it is a fact that the rejection of such applications operated harshly against the landlords and is against the intention of the Rent Control Order; if so, whether the Honourable Member for Labour proposes to enquire into such cases and to revise the decisions of the Rent Controller, where necessary ?

**The Honourable Dr. B. R. Ambedkar :** The information asked for is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war time.

# 35

## @ House Rent-Control Cases in New Delhi

†229. **Khan Bahadur Shaikh Fazl-i-Haq Piracha :** Will the Honourable the Labour Member please state :

(*a*) the number of cases for the fixation of rent for houses in New Delhi which were decided by the Rent Controller, New Delhi, in 1942 ;

(b) in how many cases were the landlords asked to submit their objections;

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* Legislative Assembly Debates (Central), Vol. I of 1943, 2nd March 1943, pp. 660-61.

@ *Ibid., p.* 661.

† Answer to this question laid on the table, the questioner being absent.

(c) why the landlords were not summoned in other cases ; and

(d) whether the Honourable Member proposes to instruct the Rent Controller to summon landlords in cases referred to in (c) ?

**The Honourable Dr. B. R. Ambedkar** : (a) 534.

(b) to (c) The information asked for is not readily available and its collection would take an amount of time and labour that would not be justifiable in war time.

(d) The Controller summons the landlords in all cases where it is necessary to do so for the purpose of determining properly the matters on which he has to adjudicate, and no special instructions are necessary.

# 36

## * House Rent-Control Cases in New Delhi

†230. **Khan Bahadur Shaikh Fazl-i-Haq Piracha** : Will the Honourable the Labour Member please state :

(a) whether the cases for the extension of tenancy were actually heard during 1942 in New Delhi, by Mr. Jones, late Rent Controller, but decisions were given by his successor without hearing the parties concerned ; if so, what is the number of such cases ; and

(b) whether he proposes to appoint an officer to re-examine such cases ?

**The Honourable Dr. B. R. Ambedkar :** (a) No ; the latter part of the question does not arise.

(b) Does not arise.

# 37

## @ Desirability of Extension of the Punjab Rent Restrictions Act to Entire Delhi Province

† 231. **Khan Bahadur Shaikh Fazl-i-Haq Piracha:** Will the Honourable the Labour Member please state :

(a) whether the Punjab Rent Restrictions Act has been applied to some parts of the Delhi Province ;

* Legislative Assembly Debates (Central), Vol. I of 1943, 2nd March 1943, p. 661.

@ *Ibid.,* p. 661.

† Answer to this question laid on the table, the questioner being absent.

(b) if it is a fact that the areas covered by the Rent Control Order have been excluded from the operation of that Act; and

(c) whether the Honourable Member proposes to withdraw the Rent Control Order and advise Government to extend the application of the said Act lo those areas also ; if not, why not?

**The Honourable Dr. B. R. Ambedkar:** (a) and (b) Yes.

(c) No. The Rent Control Order provides a speedy method of determining the fair rent of a house not provided for by the Punjab Act and I do not see any reason for withdrawing the Order.

## * House Rent Control in Simla

† 232. **Khan Bahadur Shaikh Fazl-i-Haq Piracha :** (a) Is the Honourable the Labour Member aware that in 1940 the rents of private properties in Simla were reduced considerably owing to the retention of the civil Departments of the Government of India in Delhi and that a large number of houses remained vacant or were leased on a nominal rent by the landlords concerned during the course of that year ? If so, do Government propose not to determine the rents for that year as basic rents under the Rent Control Order ?

(b) Is the Honourable Member aware that the cost of repairs has gone up very high and that the Punjab Government have imposed a new tax of 7 ½ per cent on the property under a new Act ?

(c) Are Government aware that the landlords in Simla are suffering financially from the restrictions imposed by the Government concerned in one way of the other ?

(d) Docs the Honourable Member propose to amend the House Control Order for Simla, so as to determine the rents for 1939 as basic rents plus 25 per cent on account of the increased cost of repairs or alternatively lo withdraw the Rent Control Order and to apply the Punjab Rent Restrictions Act instead ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Rents at the beginning of 1940 were lower than in 1939 when landlords had raised rents to an unreasonably high figure. Houses were not, however, rented at nominal rents in 1940, and the Government of India considered that

* Legislative Assembly Debates (Central), Vol. I of 1943, 2nd March 1943, p. 662.

† Answer to this question laid on the table, the questioner being absent.

the rents of 1940 were fair rents to take as basic rents under the Rent Control Order.

(b) Yes.

(c) Landlords are not suffering financially from the restrictions imposed upon them by Government but they are prevented from making more than reasonable profit on their properties.

(d) No ; the Rent Control Order is an emergency measure designed to expedite decision regarding rents of houses. If Punjab Urban Rent Restriction Act is enforced instead, the tenants will have to seek redress in the Civil Courts which will not only be expensive but will take a long time to arrive at a decision.

# 38

## * Allotment of Central Government Employees' Quarters to Staff of Local Schools, etc.

@ 234. **Mr. Muhammad Azhar Ali :** (a) Will the Honourable Member for Labour please state if he is aware of the fact that the Public Works Department quarters specially built for the Central Government employees are allotted to the staff of the local schools and courts in preference to the Central Government servants of certain Departments ?

(b) Is he aware that the purely temporary staff of the so-called "entitled offices" is given preference over the permanent staff of other offices who are drawing higher salaries notwithstanding the loss of revenue to Government ?

(c) Is it a fact that sister offices of the same Department are treated differently ?

(d) Is it a fact that the Railway clearing Accounts Office was treated as non-entitled but that decision has since been changed ?

(c) Does the Honourable Member propose to review the position and take steps to treat all the Central Government offices alike ?

**The Honourable Dr. B. R. Ambedkar :** (a) These quarters are meant for employees of the Central Government and of the Local

* Legislative Assembly Debates (Central), Vol. I of 1943, 2nd March 1943, p. 663.

@ Answer to this question laid on the table, the questioner having exhausted his quota.

Administration of Delhi posted in New Delhi and Delhi and may be allotted to such employees working in Schools and Courts.

(b) I am prepared to accept that the operation of the rules may have led to the result suggested by the Honourable Member.

(c) A more liberal interpretation of the rules regarding offices entitled to this accommodation has recently been adopted and it is possible that as a result there may be some anomalies.

(d) Yes.

(e) I am prepared to examine the case of any particular office brought to my notice, but do not propose to undertake a general review.

# 39

## * Private Houses leased by Government in Delhi

252. **Sardar Sant Singh :** (a) Will the Honourable the Labour Member kindly state the number of private houses leased by Government in the different areas in Delhi, e.g., New Delhi, Notified area, Karol Bagh, Darya Gunj, etc. separately ?

(b) When were the first and the last houses leased in each area ?

(c) Is it a fact that all houses were leased before the winter season began ? If not, how many were leased after the beginning of the winter season ?

(d) On what basis is the rent paid by Government to the owners of these buildings, how were the houses classified for purposes of allotment and how were they allotted according to that classification ?

(e) In how many cases were persons eligible for a lower type allotted a higher type, and why ?

(f) How is the rent charged for these houses from the allottees ?

(g) Is it a fact that it cannot be more than 10 per cent of their pay ?

(h) When were the first and the last houses occupied in each area, separately, during 1942-43?

(i) Is it a fact that several houses are still vacant?

* Legislative Assembly Debates (Central), Vol. I of 19-43, 8th March 1943, pp. 811-12.

(j) How much loss have Government incurred by the difference in payments to owners as a whole and the actual rents realized from the tenants ?

(k) How much loss have Government incurred by the houses remaining vacant for months ?

(l) Were Government not aware of the probable demands ?

(m) Is it a fact that in certain cases rents paid to owners were more than the rents realized by them immediately prior to their leasing to Government ? If so, why, and who is responsible for this loss and what action do Government propose to take against the officers responsible for this ?

(n) What do Government propose to do for the next year ?

(o) Will they still require more houses on lease or will they release some out of those already leased ?

(p) Are Government prepared to have an Enquiry Committee to look into the leasing of houses in the past to allay any suspicion that Government were put to unnecessary loss due to the negligence of officers and want of proper estimate of news ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b) A statement containing the information asked for is laid on the table of the House.

(c) No. Forty six houses were leased after the commencement of the winter season.

(d) Government have paid the "fair rent" as determined under the provisions of the New Delhi Rent Control Order, 1939.

Flats in houses suitable for allotment to officers were classified as those suitable for officers with wives and families, and those suitable for officers with wives only and were allotted accordingly in accordance with the principle that the houses carrying higher rental were allotted to higher paid officers. Houses suitable for clerks were not classified and were allotted in accordance with the abovementioned principle.

(e) None. The houses were not divided into types but the principle "higher rented accommodation for higher paid officer" was always followed in allotting available houses.

(f) Rent is calculated in accordance with the rules and is recovered from the allottees at ten per cent of the emoluments or the full rent whichever is less.

(g) Yes ; ten per cent of emoluments and not pay.

(h), (j) and (k) The information asked for is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war-time. It is impossible that in a large housing estate all houses will be full all the time—some loss is bound to occur from occasional vacancies and from the operation of the ten per cent rule.

(i) None of the leased houses in New Delhi and Darya Gunj are vacant and only four suites of accommodation suitable for officers and three suites of accommodation suitable for clerks are vacant in Karol Bagh.

(1) Government were fully aware.

(m) The rents paid were those fixed by the Rent Controller. So far as is known, in cases where houses had previously been leased, these did not exceed rents previously paid. The latter parts of the question do not arise.

(n) and (o) Government are not in a position to give a definite answer. It is probable that Government will want more houses.

(p) No. In view of my reply to other parts of this question, this does not seem to be necessary.

STATEMENT

| | | | | |
|---|---|---|---|---|
| (a) | New Delhi area | ... | 122 | bungalows and flats. |
| | Notified area | ... | 8 | bungalows. |
| | Karol Bagh | ... | 143 | fiats (including accommodation suitable for clerks). |
| | Darya Gunj | ... | 34 | fiats (suitable for clerks only). |

| | | | First house based on | Last house based on |
|---|---|---|---|---|
| (b) | New Delhi | ... | 1-4-41 | 2-2-43 |
| | Notified area | ... | 1-6-41 | 31-12-42 |
| | Karol Bagh | ... | 7-7-42 | 15-1-43 |
| | Darya Gunj | ... | 15-8-42 | 25-10-42 |

**Mr. Lalchand Navalrai:** May I know why some of the houses are lying vacant; are they not required by officers and clerks ?

**The Honourable Dr. B. R. Ambedkar :** There must be some temporary reason of which I am not at present aware.

**Mr. Lalchand Navalrai:** Is there a demand for more houses for clerks or officers, or not ? Or have you got a full complement ?

**The Honourable Dr. B. R. Ambedkar :** I must have notice of that question.

**Dr. Sir Zia Uddin Ahmad :** Is it not a fact that Government had to provide so many tents for the accommodation of officers and other people ?

**The Honourable Dr. B. R. Ambedkar:** That is quite so.

**Dr. Sir Zia Uddin Ahmad :** This shows that sufficient number of houses are not available.

**The Honourable Dr. B. R. Ambedkar :** Yes.

# 40

## * Improvements in the Combined "C" Type Quarters in New Delhi

279. **Sardar Sant Singh :** (a) With reference to the answer to part (f) of starred question No. 437, asked on the 18th March, 1940, will the Honourable the Labour Member please state what improvements in the combined "C" type orthodox quarters in New Delhi were asked for in the representations received by Government, either through Tenants' Associations or from individual residents of such quarters ?

(b) What would have been the cost of all the additions and alterations asked for per quarter ?

(c) Have any additions or alterations been made in any clerks' or officers' quarters in New Delhi since the 18th March, 1940 ? If so, which are the different classes of quarters in which such additions, etc., have been made ?

(d) What was the amount of expenditure incurred on each different class of quarter so added to or altered ?

**The Honourable Dr. B. R. Ambedkar :** (a) A statement containing the information is laid on the table of the House.

* Legislative Assembly Debates (Central), Vol. II of 1943, 11th March 1943, p. 969.

(b) and (d) The information is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war time.

(c) Yes. Additions and alterations were made in "A", "B", "C", "D" and "E" type quarters.

**Statement**

(i) The kitchen, the bath and store rooms at the existing sites be dismantled and new ones constructed in lieu thereof in the open space in the courtyard between the latrines and bath room, and a long verandah be provided in front of all the three rooms.

(ii) A window may be provided in each of the rooms towards the inner verandah to make the rooms well ventilated.

(iii) A window may be provided adjoining the outer entrance of the first room.

(iv) A door may be constructed in the room on the other extreme opening on the outer verandah.

(v) One more water tap may be provided.

(vi) A servant room.

(vii) An additional bath room with a window therein.

(viii) Standard type ventilators in all the rooms and closing of the existing holes in the ceiling.

(ix) Wooden mantles in all the rooms without fire places.

(x) Wall almirahs in all the rooms.

(xi) Increasing the inner verandah accommodation, etc.

# 41

## * Improvements in the Combined "C" Type Quarters in New Delhi

280. **Sardar Sant Singh :** Will the Honourable the Labour Member please state the cost of making the following alterations in each combined "C" type orthodox quarter in New Delhi:

(i) fitting in of a window in the front room ;

* Legislative Assembly Debates (Central), Vol. II of 1943, 11th March 1943, pp. 969-70

(ii) provision of regular ventilators, like those provided in other types of quarters, in all the three rooms ;

(iii) providing a pucca floor in the courtyard; and

(iv) providing another window in the kitchen ?

**The Honourable Dr. B. R. Ambedkar :** Rs. 415 per quarter.

# 42

## * Improvements in the Combined "C" Type Quarters in New Delhi

281. **Sardar Sant Singh :** (a) Will the Honourable the Labour Member please state whether it is a fact that all "D" type orthodox quarters in the D.I.Z. Area, New Delhi, were provided with pucca floors in the courtyard in 1940 or 1941 ?

(b) what is the number of such quarters and other quarters in which this modification was made?

(c) What is the total number of combined "C" type quarters which are located in the midst of these "D" type quarters ?

(d) What would have been the cost of providing pucca floors in all of these combined "C" type quarters ?

(c) What was the amount spent on all "D" type quarters in which this modification was made ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) 1079.

(c) 60.

(d) Rs. 13,500 at present day prices.

(e) Rs. 29,415.

# 43

## @ Inspection of Combined "C" Type Quarters in New Delhi

282. **Sardar Sant Singh :** Will the Honourable the Labour Member please refer to the answer to two supplementary questions to starred question No. 438 answered on the 18th March, 1940, in which the then

* Legislative Assembly Debates (Central), Vol. II of 1943, 11th March 1943, p. 970.
@*Ibid*. p. 970.

Labour Member promised to inspect the combined "C" type quarters in New Delhi, and state whether he actually inspected these quarters ? If so, does he propose to lay on the table a copy of his report on the matter ?

**The Honourable Dr. B. R. Ambedkar :** No The latter part of the question does not arise.

# 44

## * Improvements in "D" Type Orthodox Quarters in New Delhi

283. **Sardar Sant Singh** : (a) Will the Honourable the Labour Member please state whether it is a fact that in 1940 when the galleries inside the "D" type orthodox quarters in the D.I.Z. Area, New Delhi were covered, a suggestion was made that ventilators provided in the walls of the two rooms on either side of the gallery should be of glass case so that they might be closed ?

(b) Is it a fact that only wire gauze ventilators with big holes were provided, instead of the old type glass-case ones on the ground that the Health Officer, New Delhi, objected to the provision of the latter type of ventilators as being unhealthy ?

(c) Is it a fact that it was proposed to cover up the open space between the bath room and lavatory in these quarters in order to provide shelter for storing fuel, etc. ?

(d) Is it a fact that this covering up was also objected to by the Health Department, New Delhi ?

**The Honourable Dr. B. R. Ambedkar:** (a) yes

(b) No.

(c) Yes.

(d) No.

Mr. President (The Honourable Sir Abdur Rahim) . The answer to the other questions of Sardar Sant Singh will be laid on the table.

* Legislative Assembly Debates (Central), Vol. II of 1943, 11th March 1943, p.970.

# 45

## * Inspection of Combined "C" Type Quarters in New Delhi

†284. **Sardar Sant Singh :** (a) Will the Education Secretary please state whether the Health Officer, New Delhi, was ever invited to inspect the residential accommodation in New Delhi, and to see that all accommodation for living purposes was provided with proper ventilation, etc. ?

(b) If the answer to (a) be in the affirmative, did this officer ever inspect the combined "C" type quarters in the D.I.Z. Area, New Delhi?

(c) If the answer to (b) be in the affirmative, did the said officer submit any report either to the New Delhi Municipal Committee or to the Government of India about the suitability or unsuitability of the rooms in those quarters for use as bed rooms, etc. ? If so, does he propose to lay a copy of that report on the table of the House ? If he did not submit any report, why not ?

(d) If the Health Officer was never invited to inspect these quarters, what were the reasons for not doing so ? Is he prepared to issue instructions that these quarters are thoroughly inspected at an early date ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) and (c) Do not arise.

(d) The design of these quarters was approved by the Municipal Committee before they were constructed and Government have not considered it necessary to have these quarters inspected by the Health Officer. I am however arranging to have these quarters inspected by the Health Officer.

# 46

## @ Transfer to Lien to Allottees of Combined "C" Type Quarters in New Delhi

†285. **Sardar Sant Singh :** (a) Will the Honourable the Labour Member please state whether it is a fact that up to last year the allottees

* Legislative Assembly Debates (Central), Vol. II of 1943, 11th March 1943, pp. 970-71.

@ *Ibid.,* p. 971.

† Answer to this question laid on the table, the questioner having exhausted his quota.

of the combined "C" type quarters in New Delhi on Maud, Ibbetson and Reading Roads, were allowed, on application, to exchange their quarters with lien with the regular "C" type quarters in Havelock Square, Baird Road, Market Road, Irwin Road, etc., as and when such quarters were available ?

(b) What was the longest period which it took to allot a regular "C" type quarter to an allottee of combined "C" type quarter in cases where such allottees asked for an exchange from the very time of allotment of such combined quarters to them ?

(c) Will the present allottees of such combined quarters be allowed to exchange with lien this year ? If not, why not ?

(d) What is the total number of quarters (regular "C" type) in the squares and roads mentioned in (a) above which will fall vacant this year due to the present allottees having to vacate them permanently for some reason or other, like retirement or allotment of a higher type of quarter ?

(e) Does he propose to see that at least the tenants of these combined "C" quarters are allowed to exchange with lien if they so want ? If not, why ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) The information asked for is not readily available and its collection would involve an amount of time and labour that would not be justifiable in war time.

(c) and (e) Yes.: the revised rules are being altered to allow of this as soon as possible.

(d) The information cannot be given unless all applications for next summer and winter seasons are received in.

# 47

## * The War Injuries (Compensation Insurance) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move for leave to introduce a Bill to impose on employers a liability to pay compensation to workmen sustaining war injuries and to provide for the insurance of employers against such liability.

* Legislative Assembly Debates (Central), Vol. II of 1943, 11th March 1943, p. 976.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

> "That leave be granted to introduce a Bill to impose on employers a liability to pay compensation to workmen sustaining war injuries and to provide for the insurance of employers against such liability."

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir, I introduce the Bill.

# 48

## * Dismissals of Instructors, etc., in the Technical Training Centre, Delhi Polytechnic

311. **Maulvi Syed Murtuza Sahib Bahadur:** (a) Will the Honourable the Labour Member please refer to part (c) of the reply to unstarrcd question No. 75, on the 25th March 1942, and state the reason for frequent dismissals of instructors and Assistant Instructors in the Technical Training Centre, Delhi Polytechnic, especially when there is an acute shortage of skilled men ?

(b) Is it a fact that some Muslims have been discharged without any reason being assigned therefor ?

**The Honourable Dr. B. R. Ambedkar :** (a) Fourteen Instructors have been discharged since the 1st April, 1942, 13 for inefficiency and one for political activity.

(b) According to my information, no.

# 49

## @ Grievances of Employees in the Binding Department of the Government of India Press, New Delhi

312. **Qazi Muhammad Ahmad Kazmi :** (a) Will the Honourable the Labour Member be pleased to state whether the entire employees

* Legislative Assembly Debates (Central). Vol. II of 1913, 16th March 1943, p. 1120.
@ *Ibid.*,p. 1121.

of the Government of India Press, New Delhi, went on strike on the 1st and 2nd December, 1942 and that on the 2nd December, 1942, the Labour Secretary went there and was presented with six demands and that one of the demands was for the annual increment to the Binding Department and that the start of the salary should be from Rs. 30 per mensem and that within the period of 20 years the salary should reach the maximum grade of Rs. 75 per mensem ?

(b) Is it or is it not a fact that the Binding Department since 1927 has been submitting questions and memorials to the Works Committee for an annual increment, and has been putting questions in the Assembly, and the Press Union has also submitted a memorial ?

(c) Is it or is it not a fact that people are receiving a certain pay since the last 15/20 years and most of them, after having paid from their salaries the usual cuts, i.e., for Fund, Society, Water, Quarters, etc., receive only 10/12 rupees per month, with which it is not possible for them to make ends meet easily ?

(d) Is it a fact that the Union of the Binding Department had submitted a memorial to the Secretary, Labour Department, in November, 1942 in which it was laid down that until the annual increment is enforced, the employees of the Binding Department should not be retired before 25 years' service and in this way they be compensated a little ?

(e) Are Government prepared to retain the people in the Binding Department until they have put in 25 years' service ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes, with the exception of the supervising staff and a few other employees. The question of the introduction of a time-scale of pay in the bindery is receiving attention.

(b) Yes.

(c) No.

(d) No. The Press Workers Union submitted a representation in November 1942. But it does not contain the prayer as stated.

(e) No. No employee is ordinarily required to retire before he attains the age of 55 years.

# 50

## * Grievances of Employees in the Binding Department of the Government of India Press, New Delhi

@ 313. **Qazi Muhammad Ahmad Kazmi :** (a) Will the Honourable the Labour Member be pleased to state if it is a fact that there are some persons in the Binding Department of the Government of India Press, New Delhi, who are getting Rs. 30 per mensem ?

(b) Is it a fact that the office mistakenly cut down their service and uptil now that service has not been restored to them with the result that for years they are getting Rs. 30 per mensem though others who are of less service are getting more, for instance those who used to get Rs. 22 and Rs. 25 per mensem are at present getting Rs. 40 and Rs. 45 per mensem ?

(c) Is it a fact that those whose services have been cancelled have submitted a memorial to the Controller requesting him for the inclusion of their past service in their present service ?

(d) Are Government prepared to include the service of those whose service has been cancelled ? If so, is it possible to make them senior to those who superseded them ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) Condonation does not imply that the period previous to the break be counted as service for fixing the pay to be drawn after the break and no mistake has been made.

(c) No.

(d) Does not arise.

# 51

## # Paucity of Muslim Engineers, etc. in the Central Public Works Department

319. **Khan Bahadur Shaikh Fazl-i-Haq Piracha :** (a) Will the Honourable Member for Labour please state, community-wise, the number of Superintending Engineers, Executive Engineers and Sub-

* Legislative Assembly Debates (Central), Vol. II of 1943, 16lh March 1943, p. 1121.

@ Answer to this question laid on the table, the questioner being absent.

# Legislative Assembly Debates (Central), Vol. II of 1943, 16th March 1943, pp. 1124-25.

Divisional Officers (gazetted and non-gazetted) employed in the Central Public Works Department inclusive of the Aviation and Access Road Works ?

(b) Is it a fact that Muslims are under-represented in each of the cadres mentioned above ? If so, what action do Government propose to take to make up the under-representation of Muslims ?

**The Honourable Dr. B. R. Ambedkar :** (a) A statement is placed on the table, (b) Yes. The under-representation of Muslims is due to the fact that most of the appointments were made for Aviation works which were urgent and important and required a large number of experienced and qualified officers. Owing to the Japanese threat to India, these officers were required at the shortest notice, and appointments according to the strict communal roster would have led to delay which would have been highly prejudicial to the defence of the country. All the appointments in regard to which communal rules have not been observed, are temporary only, and irregularities will be put right as soon as the present emergency ceases.

**Statement**

| | Designation of Officers | Eruo-peans | Anglo-Indians | Hin-dus | Mus-lims | Sikhs | Indian Christians | Parsees | Total |
|---|---|---|---|---|---|---|---|---|---|
| 1. | Superintending Engineers | 5 | ... | 3 | ... | 2 | ... | ... | 10 |
| 2. | Executive Engineers | 12 | 4 | 35 | 5 | 1 | 5 | ... | 62 |
| 3. | Sub-Divisional Officers Gazetted (Assistant Executive Engineers) | 1 | 5 | 25 | 6 | 2 | 4 | ... | 43 |
| 4. | Sub-Divisional Officers Gazetted (Temporary Officers) | ... | 4 | 43 | 4 | 3 | ... | 1 | 55 |
| 5. | Sub-Divisional Officers (Non-gazetted) | ... | 3 | 124 | 23 | 22 | 1 | ... | 173 |

**Maulvi Syed Murtuza Sahib Bahadur :** Are we to understand that when urgent appointments are made, it is only the unfortunate, Muslim community that has to suffer ?

**The Honourable Dr. B. R. Ambedkar :** That is not the only unfortunate community; there are other communities which are equally affected.

**Maulvi Muhammad Abdul Ghani :** Do Government propose to recruit Muslim officers from provinces if they are found fit ?

**The Honourable Dr. B. R. Ambedkar :** Yes.

**Mr. Jamnadas M. Mehta :** When the communal proportion is restored, will those who have already been appointed be dismissed ?

**The Honourable Dr. B. R. Ambedkar:** They are all temporary appointments.

**Mr. Jamnadas M. Mehta :** So they will be dismissed.

**The Honourable Dr. B. R. Ambedkar :** They are temporary. There is no question of dismissal.

Mr. Jamnadas M. Mehta continued standing in his scat even after putting the question.

**Mr. President** (The Honourable Sir Abdur Rahim): When the Honourable Member has asked a question, he ought to resume his seat.

**Mr. Jamnadas M. Mehta :** I want to ask another question, Sir. That means that those who came to your assistance—at the critical moment will be given a short shrift ?

**The Honourable Dr. B. R. Ambedkar :** The appointments are temporary and there is no question of dismissal or discharge.

**Khan Bahadur Shaikh Fazl-i-Haq Piracha :** What is the duration of these temporary appointments ?

**The Honourable Dr. B. R. Ambedkar:** It is quite impossible to say.

**Khan Bahadur Shaikh Fazl-i-Haq Piracha :** Is it not laid down in the rules or in the resolution passed by the Government that any temporary appointment for three months and over should be made in accordance with the Resolution of the Government keeping in view the percentages of various communities ?

**The Honourable Dr. B. R. Ambedkar :** All that must be subject to emergency.

# 52

## * New Assistant Estate Officers and Assistants to the Estate Officer

320. **Khan Bahadur Shaikh Fazl-i-Haq Piracha :** (a) Will the Honourable Member for Labour please state the number of the new

* Legislative Assembly Debates (Central), Vol. II of 1943, 16th Mareh 1943, p. 1125.

posts of Assistant Estate Officers and Assistants to the Estate Officer created during the last two years ?

(b) Has any of the above posts been given to a Muslim ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Number of Assistant Estate Officers—three ; number of Assistants to the Estate Officer—one.

(b) No.

Three of the posts were filled by selection and promotion from among the Superintendents in the Chief Engineer's Office. This is the normal method of recruitment to these posts. No suitable Muslim Superintendent was available. The fourth post was filled by an Officer temporarily on deputation from the Burma P.W.D.

**Khan Bahadur Shaikh Fazl-i-Haq Piracha :** May I know if Mr. Karim Baksh was the seniormost Superintendent at the time when these posts were filled up ?

**The Honourable Dr. B. R. Ambedkar :** I want notice.

**Khan Bahadur Shaikh Fazl-i-Haq Piracha :** May I know if Mr. Brown, Mr. Grant, Mr. Ellis, and Mr. Bronkhurst held the posts of Superintendent ?

**The Honourable Dr. B. R. Ambedkar :** I must have notice of that.

**Mr. Muhammad Nauman :** May I know whether all enquiries were made, whether other people were efficient or not, and when the Honourable Member wants notice for everything, he must have come here with proper replies if no Muslim was found fit ?

**The Honourable Dr. B. R. Ambedkar :** I have no doubt that proper enquiries must have been made.

**Mr. Muhammad Nauman :** But the Honourable Member has no information on that at least.

**Mr. President** (The Honourable Sir Abdur Rahim) : That is not a question. Next question.

# 53

## * Contracts in Aviation Works

321. **Khan Bahadur Shaikh Fazl-i-Haq Piracha:** (a) Will the Honourable Member for Labour please state whether it is a fact that in the case of Aviation works it has been the practice of Government

* Legislative Assembly Debates (Central), Vol. II of 1943, 16th March 1943, p. 1125.

to award contracts for emergency works by private negotiations without calling for tenders ?

(b) What is the total value of contracts awarded by private negotiations during the calendar year 1942 ?

(c) What is the total value of such contracts awarded by private negotiations to Muslim contractors ?

**The Honourable Dr. B. R. Ambedkar** : The information asked for by the Honourable Member is being collected and will be laid on the table in due course.

# 54

## * Grievances of the Staff of the Binding Department of the Government of India Press, New Delhi

338. **Qazi Muhammad Ahmad Kazmi :** (a) Will the Honourable the Labour Member be pleased to state if it is a fact that as the annual increment is not given to the people of the Binding Department of the Government of India Press, New Delhi, they wish to go to other Departments when vacancies fall vacant there, but their applications are not forwarded ?

(b) Is it or is it not a fact that some people were given a trial in which they were successful, but they have not been provided with a situation until now ?

(c) Is it or is it not a fact that many a time the Manager has been asked that until the annual increment is enforced in the Binding Department, those who are already working in that Department should be given a chance and situations should be provided for successful candidates in preference to outsiders, but the Manager did not heed these requests ?

(d) Are Government prepared to take the successful candidates in the 'Distributory' section so that those who have passed the test may not suffer?

* Legislative Assembly Debates (Central), Vol. II of 1943, 20th March 1943, p. 1269.

**The Honourable Dr. B. R. Ambedkar :** (a) No. Transfer of industrial employees from one establishment to another is governed by the National Service (Technical Personnel) Ordinance, 1940.

The application of one warehouseman who applied last January for service in the Air Force was in fact forwarded.

(b) One warehouseman qualified as a distributor in the test held in 1941. As there were other candidates who had qualified earlier and as the post of distributor does not lie in the ordinary range of promotion of warehousemen, the qualified warehouseman was not appointed to the vacancies that occurred.

(c) The answer to the first part is in the negative. The second part does not arise.

(d) The successful candidates will be considered for distributors' posts in accordance with the rules.

**Qazi Muhammad Ahmad Kazmi :** As regards the answer to part (d) of the question may I know the position exactly as regards those who had been given a trial and were found successful ?

**The Honourable Dr. B. R. Ambedkar :** As I said, there were other candidates who had qualified earlier.

**Qazi Muhammad Ahmad Kazmi:** But as far as those persons who were found successful are concerned, will their claims be considered ?

**The Honourable Dr. B. R. Ambedkar :** Certainly.

# 55

## * Selection Grade Posts in the Binding Department of the Government of India Press, New Delhi

339. **Qazi Muhammad Ahmad Kazmi :** (a) When selection posts have been announced in nearly all the Departments of the Government of India Press, New Delhi, will the Honourable the Labour Member be pleased to state why no such selection grade posts are given to the Binding Department ?

(b) Is it or is it not a fact that previously the strength of the Binding Department was 50/60 persons and for the supervision of their work

* Legislative Assembly Debates (Central), Vol. II of 1943, 20th March 1943, pp. 1269-70

there was one foreman, one Jamadar and one Binding Examiner, but now that the strength has increased to 135 persons, there are still only three persons in the supervisory rank ?

(c) Are Government prepared to divide the Binding Department into two sections and provide one more Foreman Jamadar and Examiner .

**The Honourable Dr. B. R. Ambedkar :** (a) There is a selection post of Bindery and Warehouse Foreman in the Bindery of the Press.

(b) The previous strength was over sixty and there was only one supervisory post of a Bindery Warehouse Foreman. The present strength in the Bindery is 107 including 20 temporary war posts and there are now three persons in the supervisor rank.

(c) No.

**Qazi Muhammad Ahmad Kazmi :** I did not quite catch the reply of the Honourable Member. May I know whether he admits the increase of numbers that I have given ?

**The Honourable Dr. B. R. Ambedkar :** Yes. I said that the present strength in the Bindery is 107.

**Qazi Muhammad Ahmad Kazmi :** With that increase, will the Honourable Member consider the advisability of increasing the supervisory staff in view of the increase in the number of the lower paid ?

**The Honourable Dr. B. R. Ambedkar :** I will consider.

# 56

## * Grievances of the Piece Workers in the Machine Department of the government of India Press, New Delhi

340. **Qazi Muhammad Ahmad Kazmi** : (a) Will the Honourable the Labour Member be pleased to state whether or not it is a fact that there are several persons in the Machine Department of the Government of India Press, New Delhi, who are employed on piece work and several on salary ?

(b) Is it a fact that all piece workers are not given an equal amount of work with the result that some got mere wages than others ?

* Legislative Assembly Debates (Central), Vol. II of 1943, 20th March 1943, p. 1270.

(c) Is it not a fact that officials show partiality and favour to some in the allotment of work in such a way that there is a very unequal distribution of wages and the wages of a large number of piece workers amount to very little and do not suffice for their requirements and the maintenance of their families ?

(d) Do Government propose to consider the advisability of giving equal work to all, so that at the end of the month all should have **a** nearly equal amount of pay and thus redress their grievances ?

**The Honourable Dr. B. R. Ambedkar**: (a) Yes.

(b) The answer to the first pail is in the negative. The second part does not arise.

(c) No.

(d) This is actually done but equal work does not ensure equal earning. The attention of the Honourable Member is invited to the reply to part (c) of starred question No. 85 given in this House on 17th February 1941.

**Qazi Muhammad Ahmad Kazmi** : May I know whether the Honourable Member has made an enquiry into the allegation that the actual distribution of the work at present does not give equal wages to the persons employed ?

**The Honourable Dr. B. R. Ambedkar** : The answer is based on enquiry.

# 57

## * Annual Election for the Works Committee of the Government of India Press, New Delhi

341. **Qazi Muhammad Ahmad Kazmi** : (a) Will the Honourable the Labour Member please state if it is a fact that the annual election for the Works Committee of the Government of India Press, New Delhi, which is held on 8lh April, is not properly conducted ?

(b) Is it or is it not a fact that the voters are not called one by one but all the voters gather together and stand in the room where the voles are received ?

* Legislative Assembly Debates (Central), Vol. II of 1993, 20th March 1943, pp 1270-71.

(c) Are Government prepared to make proper arrangements for keeping the voters away from the clerk concerned, and to allow only those to come forward who are called to give their votes ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b) No.

**Qazi Muhammad Ahmad Kazmi:** Did the Honourable Member make an enquiry as to the complaints that were made to the polling officer at the time the votes were taken and satisfy himself that there were complaints of the kind that I have made in the question ?

**The Honourable Dr. B. R. Ambedkar :** No. I will make enquiries if the necessity arises.

**Qazi Muhammad Ahmad Kazmi:** Now that I have put the question, will the Honourable Member be pleased to make an enquiry whether it is a fact that the complaints that are made are correct ?

**The Honourable Dr. B. R. Ambedkar :** Yes.

# 58

## * Fall in Coal Output of Bengal and Bihar Coal Fields

349. **Mr. K. C. Neogy :** Will the Honourable the Labour Member please state if it is a fact that the output of coal in the Bengal and Bihar coal fields in the year 1942 was considerably less than that of the previous years ? If so, what were the percentages separately of the decrease as compared to the output for the years 1939, 1940 and 1941 ? What are the factors responsible for this reduction in output ?

**The Honourable Dr. B. R. Ambedkar :** No. The output of coal in the Bengal and Bihar coalfields for 1942 was very considerably above that for 1939. The peak year to date has been 1940. There was a very slight drop in 1941 on the 1940 figures and a further slight drop in 1942. The total drop on the 1940 figures is less than one per cent.

As the drop in production is so slight no detailed enquiry has been held into its cause.

**Mr. K. C. Neogy:** Has any representation been made to the Government of India by the trade interests on this particular point, mentioning any grievance due to which this drop might have occurred ?

**The Honourable Dr. B. R. Ambedkar :** I have no information as yet.

* Legislative Assembly Debates (Central), Vol. II of 1943, 20th March 1943, p. 1276.

# 59

## * Criterion for Enlistment of Contractors in Central Public Works Department

417. **Mr. Ananga Mohan Dam :** Will the Honourable the Labour Member please state the criterion for the enlistment of contractors in the Central Public Works Department ? Is this enlistment subject to any fee ?

**The Honourable Dr. B. R. Ambedkar :** Enlistment of contractors in the Central Public Works Department is made with due regard to their financial status and their experience as evidenced by the extent and quality of the works previously executed by them. In the case of firms, registration under Indian Partnership Act, 1932, is also insisted upon as an essential condition. The answer to the latter part of the question is in the negative.

# 60

## @ Muslims in the Offices and the Subordinate Engineering Services of the Central Public Works Department

418. **Maulvi Muhammad Abdul Ghani :** Will the Honourable Member for Labour please state :

(a) the total strength of the class I and Class II Officers and the Subordinate Engineering Services of the Central Public Works Department.

(b) the strength of Muslims in each of the categories given in part (a); and (c) what steps have been taken so far to make up the deficiency, if any ?

**The Honourable Dr. B. R. Ambedkar :** (a) Class 1—122.

Class 11—63.

Subordinate Engineering Service—1179.

(b) Class 1—14.

Class II—4.

Subordinate Engineering Service—202.

(c) Attention of the Honourable Member is invited to the answer given to part (b) of the starred question No. 319 on the 16th March 1943.

* Legislative Assembly Debates (Central), Vol. II of 1943, 30th March 1943, p. 1582.

@ *Ibid.* p. 1582.

# 61

## * Proposed Retrenchment Scheme for Engineering Establishment of the Central Public Works Department

419. **Maulvi Muhammad Abdul Ghani :** Will the Honourable Member for Labour please state if a retrenchment scheme for the Engineering Establishment of the Central Public Works Department is under contemplation ? If so, will Muslim employees be affected by it even if their strength is short of 25 per cent of the total strength ?

**The Honourable Dr. B. R. Ambedkar :** Not at present. The second part of the question docs not arise.

# 62

## @ Muslim Lino Operators, Mono Operators, etc., in the Government of India Press, Calcutta

**420. Hajee Chowdhury Muhammad Ismail Khan** : (a) Will the Honourable the Labour Member please state the number of Lino Operators, Mono operators, Mono Casters and forme carriers in the Government of India, Press, Calcutta, and how many of them are Muslims ?

(b) What is the total number of appointments made in these grades during the last three years, and how-many Muslims were appointed in each of these grades ?

(c) What steps have been taken to appoint Muslims in these posts ?

(d) Does the Honourable Member propose to place on the table of the House a detailed statement showing the figures, communitywise, in regard to posts of clerks and copy-holders in permanent and temporary employ in the Government of India Press, Calcutta ?

**The Honourable Dr. B. R. Ambedkar :** (a), (b) and (d). A statement is laid on the table.

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* Legislative Assembly Debates (Central), Vol. II of 1943, 30th March 1943, p. 1582.
@ *Ibid., p.* 1582.

(c) Orders regarding communal representation in the services are being followed in the Government of India Presses.

## Statement

| Post (Permanent) | | Number | No. of Muslims |
|---|---|---|---|
| Lino Operators | ... | 6 | 2 |
| Mono Operators | ... | 6 | 1 |
| Mono Casters | ... | 10 | |
| Forme Carriers : | | | |
| Permanent | ... | 12 | Nil |
| Temporary | ... | 10 | Nil |

Statement showing the total number of appointments made in the posts of Lino Operators, Mono Operators, Mono Casters and Forme Carriers in the Government of India Press, Calcutta, in 1940, 1941 and 1942.

| Post (Permanent) | Appointment in | | |
|---|---|---|---|
| | 1940 | 1941 | 1942 |
| Lino Operators | Nil | Nil | Nil |
| Mono Operators | Nil | Nil | Nil |
| Mono Casters | Nil | 1 (Hindu) | Nil |
| Forme Carriers (Permanent & Temporary) | Nil | Nil | Nil |

Statement Showing Communal composition of clerks and copy-holders (Permanent and temporary) in the Government of India Press, Calcutta.

| | Total Number | Hindus | | Muslim | Anglo Indian | Indian Christian |
|---|---|---|---|---|---|---|
| | | Other than Scheduled Caste | Scheduled Caste | | | |
| Clerk (excluding computers, Time Keepers etc.) : | | | | | | |
| Permanent | 43 | 31 | 1 | 10 | 1 | Nil |
| Temporary | 7 | 5 | Nil | 1 | Nil | 1 |
| Copy-holders : | | | | | | |
| Permanent | 34 | 23 | Nil | 5 | 2 | Nil |
| Temporary | 4 | 3 | Nil | 1 | Nil | Nil |
| (Regular) Temporary (for limited period) | 5 | 2 | Nil | 2 | Nil | 1 |

# 63

## * Muslim Executive Engineers in the Central Public Works Department

421. **Maulvi Muhammad Abdul Ghani :** Will the Honourable the Labour Member please state how many Executive Engineers have been taken in from the various Provinces in the Central Public Works Department during the last two years and how many of them are Muslims ?

**The Honourable Dr. B. R. Ambedkar :** Twenty-two, of whom two were Muslims. Three, including one Muslim, have been since reverted.

# 64

## @ Temporary Buildings in New Delhi

**422. Sir F. E. James :** Will the Honourable the Labour Member be pleased to state:

(a) whether his attention has been drawn to the notice erected near certain temporary buildings in course of construction in Connaught Place, intimating that these buildings are to be demolished immediately after the war; and

(b) if the same condition applies to the temporary buildings erected on Queens way ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) All the buildings have been constructed as temporary buildings. The intention is that they shall be pulled down as soon as may be after the conclusion of the war, though no final decision has yet been taken.

**Sir F. E. James :** Will the Honourable Member explain the difference between immediately after the war and 'as soon as may be', because some of the buildings in Connaught Place are placarded as 'to be demolished immediately after the war' ?

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* Legislative Assembly Debates (Central), Vol. II of 1943, 30th March 1943, p. 1583.
@ *Ibid.,* p. 1583.

**The Honourable Dr. B. R. Ambedkar :** I do not think the placard makes any difference.

**Mr. Lalchand Navalrai:** Why should they be demolished and not used for some other purpose ?

**The Honourable Dr. B. R. Ambedkar :** As I said no final decision has yet been taken.

# 65

## * Paucity of Muslim Officer in the Printing and Stationery Establishment under Labour Department

423. **Maulvi Syed Murtuza Sahib Bahadur :** Will the Honourable Member for Labour be pleased to state whether the Controller of Printing and Stationery, the Deputy Controller, Stationery, the Assistant Controller, Printing, the Assistant Controller, Stationery, and the Assistant Secretary and the Superintendent of the Printing Branch in the Labour Department are all non-Muslims? If so, what steps do Government propose to take to give due. representation to Muslims in these posts ?

**The Honourable Dr. B. R. Ambedkar**. The reply to the first part of the question is in the affirmative except that the present Superintendent of the Stationery and Printing Branch in the Labour Department is a Muslim. All posts mentioned the question are ordinarily filled by promotion on merit and the communal representation rules do not apply to cases of promotion to selection posts. In the case of appointments to be made subject to communal considerations the rules are and will be followed. Government do not consider that any other steps are necessary.

**Maulvi Syed Murtuza Sahib Bahadur :** May I ask the Honourable Member if it is a fact that when two incumbents of the same qualifications were in the field, a Muslim was appointed on Rs. 50 and a non-Muslim of the same qualification was appointed on Rs. 200.

* Legislative Assembly Debates (Central), Vol. II of 1943, 30th March 1943, p. 1583.

**The Honourable Dr. B. R. Ambedkar :** I have no information.

**Maulvi Syed Murtuza Sahib Bahadur :** Will you kindly make inquiries.

**The Honourable Dr. B. R. Ambedkar :** I will make inquiries.

# 66

## * Paucity of Muslim Officers in Printing and Stationery Establishment under Labour Department

424. **Maulvi Syed Murtuza Sahib Bahadur :** (a) Will the Honourable Member for Labour be pleased to slate the number of Muslim gazetted officers in the office of the Controller of Printing and Stationery, the Central Stationery Office, Calcutta, the Central Publication Branch, and the various Government of India Presses ?

(b) Is it a fact that the post of Assistant Controller in the office of the Controller, Printing and Stationery, has ever since its creation been held either by Bengali Hindus or Christians and a Muslim has never been considered for this appointment ? If so, why ?

**The Honourable Dr. B. R. Ambedkar :** (a) Two. One in the Forms Press, Calcutta and the other in the Government of India Press, New Delhi.

(b) The answer to the first part is in the negative. As regards the second part, I may say that this post is filled by promotion and not by direct recruitment. There has never been any Muslim senior enough lo be considered.

**Maulvi Syed Murtuza Sahib Bahadur :** In this connection may I ask the Honourable Member if it is a fact that the Muslim appointed on Rs. 50 having found no prospects of being promoted got himself transferred to Bengal where he is getting Rs. 225 and the man who was appointed on Rs. 200 is now getting Rs. 350 and the claim of the

* Legislative Assembly Debates (Central), Vol. II of 1943, 30th March 1943, p. 1584.

Muslim who is already senior and also drawing Rs. 250 has been overlooked ?

**The Honourable Dr. B. R. Ambedkar :** I have no information but if my Honourable friend so desires, I can make inquiries.

**Maulvi Syed Murtuza Sahib Bahadur :** Will you kindly make inquiries ?

**The Honourable Dr. B. R. Ambedkar :** Yes.

# 67

## * Paucity of Muslim Officers in Printing and Stationery Establishments under Labour Department

425. **Maulvi Syed Murtuza Sahib Bahadur :** Will the Honourable Member for Labour be pleased to state :

(a) the present strength of the Assistant Managers of the various Government of India Presses and how many of them are Muslim ?

(b) the number of Muslim Assistants and clerks, separately, in the Printing Branch of the Labour Department, and in the Administration Branch of the office of the Controller of Printing and Stationery ; and

(c) the number of Muslim Superintendents in the office of the Controller of Printing and Stationery and in the Publication Branch ?

**The Honourable Dr. B. R. Ambedkar** : (a) Three. One of them is a Muslim.

(b) In the Stationery and Printing Branch of the Labour Department there is one Muslim Assistant and in the Administrative and Finance Branch of the Controller's Office one Assistant and one clerk.

(c) None.

* Legislative Assembly Debates (Central), Vol. II of 1943, 30th March 1943, p. 1585.

# 68

## * Discrimination Between Muslim and Non-Muslim Apprentices in the Printing and Stationery Department

426. **Maulvi Syed Murtuza Sahib Bahadur :** (a) Will the Honourable Member for Labour be pleased to state whether it is a fact that suitable men are trained as apprentices in the Printing and Stationery Department of the Government of India ?

(b) Are these persons eligible for appointment to higher posts in the various presses ?

(c) Is it a fact that one such apprentice, Mr. B. C. Sen Gupta, has been appointed in the Government of India Press, New Delhi, on Rs. 200 per mensem and another such apprentice—a Muslim—was not given any suitable job and had ultimately to get himself transferred to the Government Press, Calcutta, as Assistant Manager ?

(d) If the reply to part (c) is in the affirmative, what are the reasons for such discrimination ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) Yes, they are eligible, but have no specific claim.

(c) Mr. Sen Gupta was initially appointed by mistake on the old scale of Rs. 200-10-250. On discovery of the mistake he was brought on to the proper new scale starting at Rs. 100.

The Muslim was appointed in the proper new scale starting at Rs. 100.

Since then both have been promoted.

(d) Does not arise.

**Maulvi Syed Murtuza Sahib Bahadur :** May I know if both of them have been promoted to the same scale of salary ?

**The Honourable Dr. B. R. Ambedkar :** I should think so.

* Legislative Assembly Debates (Central), Vol. II of 1943, 30th March 1943, p. 1585.

# 69

## * Repair of Machines of the Government of India Press, New Delhi

427. **Maulvi Syed Murtuza Sahib Bahadur :** (a) Will the Honourable Member for Labour be pleased to state the amount of expenditure incurred on the local repair of machines of the Government of India Press, New Delhi ?

(b) Is it a fact that there is a mechanical section in the said Press ? If so why are the repairs not carried out there ?

(c) Is it a fact that the Head Mechanic personally gets the parts repaired in the city, and the letter to the firm undertaking repairs never gives instructions regarding the nature of the repairs but simply states that these will be explained by the Head Mechanic ? If so, why are the full details of the repairs not given in the letter to the firm undertaking the repairs ?

**The Honourable Dr. B. R. Ambedkar :** (a) The total amount spent **on** local repairs to plant during 1942-43 is Rs. 1,177-2-0.

(b) The answer to the first part is in the affirmative. As regards the second part, only such work is entrusted to an outside agency as cannot be done in the Press.

(c) No.

# 70

## @ Extra Staff in the Government of India Press, Aligarh

†428. **Maulvi Syed Murtuza Sahib Bahadur :** (a) Will the Honourable Member for Labour please State how much extra work has been received from the Calcutta Forms Press by the Aligarh Press in connection with the dispersal of stocks of forms, and for that purpose

* Legislative Assembly Debates (Central), Vol. II of 1943, 30th March 1943, pp. 1585-86.

@ *Ibid.,* pp. 1585-86.

† Answer to this question laid on the table, the questioner having exhausted his quota.

how much extra staff has been appointed by the Manager, Government of India Press, Aligarh ?

(b) Is the staff appointed commensurate with the work received ?

**The Honourable Dr. B. R. Ambedkar :** (a) A statement showing the work received up to the 16th March 1943 and the staff appointed is laid on the table

(b) The answer is in the affirmative.

## Statement

| Sr. No. | Form No. | No. of copies required | Sr. No. | Form No. | No. of copies required |
|---|---|---|---|---|---|
| 1 | I.A.F.A. 176 | 13,000 books | 11 | I.A.F.A.-2 (Large) | 37,000 books |
| 2 | I.A.F.O. 1287 | 3,00,000 | 12 | I.A.F.F.-1068 | 43,000 books |
| 3 | I.A.F.O. 1435 | 1,400 books | 13 | I.A.F.O. 1367-A | 1,50,000 |
| 4 | I.A.F.M. 1213 | 1,000 books | 14 | A.F.O.-1810A | 7,500 books |
| 5 | I.A.F.Z. 2187A | 30,000 | 15 | A.F.W 3010 | 9,000 books |
| 6 | I.A.F.Z. 2197 | 35,000 books | 16 | I.A.F.Z. 2135 | 6,000 books |
| 7 | I.A.F.Z. 2011* | 50,000 books | 17 | S. 90-A | 1,00,000 |
| 8 | I.A.F.Z. 2011** | 40,000 books | 18 | S. 90-B | 50,000 |
| 9 | I.A.F.Z. 2157 | 2,500 books | 19 | S. 97-A | 4,00,000 |
| 10 | I.A.F.A. 175 | 7,000 books | | | |

* Small

** Large

Statement showing appointments made in connection with the primary of forms, etc., received from the Forms Press, Calcutta.

3 Compositors on Rs. 25.

1 Reader in the grade of Rs. 90-4-110.

1 Copy holder in the grade of Rs. 28-2-38.

3 Stercotypers on Rs. 20.

1 Typesupplier on Rs. 20.

3 Paper Issuers on Rs. 20.

3 Computors in the grade of Rs. 35-2-75.

2 Clerks in the grade of Rs. 35-2-75.

1 General Foreman in the grade of Rs. 125-5-150.

1 Assistant Foreman Primer in the grade of Rs. 55-3-70.

1 Assistant Foreman Compositor in the grade of Rs. 50-3-65.

1 Head Computor in the grade of Rs. 70-3-100.

1 (Clerk) Assistant Stationery and Store Keeper in the grade of Rs. 80-4-100.

# 71

## * Complaints Against Manager, Government of India Press, Aligarh

429. **Maulvi Syed Murtuza Sahib Bahadur :** (a) Will the Honourable Member for Labour please state how many envelope-makers have been appointed in the Government of India Press, Aligarh, within one year, and in what proportion of different communities ?

(b) Is it a fact that the Manager, Government of India Press, Aligarh has appointed them without any trial, and most of them are non-Muslims ?

(c) Is it a fact that the Manager, Government of India Press, Aligarh appoints technical staff without any practical test, and always fills in the unreserved posts and sometimes also reserved posts by appointing non-Muslims ? If so why ?

**The Honourable Dr. B. R. Ambedkar :** (a) 43 envelope-makers were appointed in 1942 of whom 29 arc Hindus 11 Muslims and 3 belong to other minority communities.

(b) No.

(c) No.

# 72

## @ Temporary Rooms, etc., in the South and North Blocks of the Secretariat in New Delhi

431. **Bhai Parma Nand :** (a) Will the Honourable the Labour Member please state whether it is a fact that some corridors or verandahs in the South and North Blocks of the Secretariat in New Delhi were converted into rooms and are being used as such by the staff of the different Government of India offices ?

* Legislative Assembly Debates (Central), Vol. II of 1943, 16th March 1943, p. 1586.
@ *Ibid.,* p. 1587.

(b) Is it a fact that some of these converted rooms face the sun nearly the whole day ?

(c) Is it a fact that such rooms as mentioned in part (b) have only ordinary glass panes to keep the sun out from them ?

(d) Is it a fact that some of these rooms are very narrow ?

(e) What is the width of the narrowest of such converted rooms which face the sun nearly the whole day ? What is the number of such rooms ?

(f) What was the temperature in these rooms in the day time, say, in the second fortnight of February, and in the first fortnight of March ? What was the temperature in these converted rooms (facing the sun) during the months of April, May, June, July and October 1942?

(g) Is it a fact that these rooms are just like burning ovens where the staff are roasted for the whole day ?

(h) Have these rooms ever been inspected by any Health Officer to see that they were fit for occupation during the summer ? If so, has his report been that they were fit for occupation ?

(i) if the answer to the latter part of (h) be in the affirmative, are Government prepared to consider the allotment of these rooms to gazetted officers of the various offices concerned and put the staff at present working in them in the rooms originally built for them ?

**The Honourable Dr. B. R. Ambedkar:** (a) Yes.

(b) Some of these converted rooms, which face South, are exposed to sun in the afternoons.

(c) No. Such rooms are provided with curtains in addition to glass panes.

(d) No.

(e) The narrowest width of these converted rooms is 8 ft. 3 inches. The number of such rooms is 3.

(f) A statement containing the information asked for is laid on the table of the House.

(g) No.

(h) Yes ; these rooms were inspected by the officers of the Health Department but no objection was raised.

(i) Some of these converted rooms were actually occupied by the Gazetted Officers during the last summer season.

**Statement**

| | | | | |
|---|---|---|---|---|
| Second fortnight of February | | ... | ... | 60°F |
| First fortnight of March | | ... | ... | 75°F |
| April 1942 | ... | ... | ... | 98°F |
| May 1942 | ... | ... | ... | 104°F |
| June 1942 | ... | ... | ... | 106°F |
| July 1942 | ... | ... | ... | 96°F |
| October 1942 | ... | ... | ... | 90°F |

# 73

## * Insufficient Lighting of Clerks' Lavatories, etc. in the North Block Secretariat, New Delhi

@ 432. **Bhai Parma Nand** : (a) Will the Honourable the Labour Member please state if most of the clerks' Lavatories in the North Block Secretariat, New Delhi, specially on the first floor are not fitted with electric bulbs ?

(b) Is it a fact that all the officers' lavatories in that building are equipped with electric bulbs ?

(c) Is it a fact that some clerical staff work till late in the evening ?

(d) Do Government expect these men to use the lavatories in the dark or do they expect them not to feel the necessity of using lavatories after dark ?

* Legislative Assembly Debates (Central), Vol. II of 1943, 30th March 1943, pp. 1587-88.

@ Answer to this question laid on the table, the questioner being absent.

(e) What are the reasons for not providing electric bulbs in the lavatories for clerks only ?

(f) Is it a fact that certain stairs are not sufficiently lighted, or in parts are left without lights after dark ?

(g) Is it a fact that the whole of the area surrounding the secretariat buildings is fully and brightly lit up each evening ?

(h) If the answer to part (g) be in the affirmative, why cannot the stairs especially the main ones, inside the buildings be sufficiently lit up ?

(i) If it is not practicable to light up the stairs, are Government prepared to issue definite instructions to all offices not to allow any of their staff to stay after dark, so that they may not have to grope their way down these stairs ?

**The Honourable Dr. B. R. Ambedkar :** (a) A certain number of bulbs had been fused and could not be replaced on account of paucity of bulbs.

(b) Yes ; not only officers lavatories but all lavatories are equipped with electric bulbs.

(c) Yes.

(d) No.

(e) The reason why some of the lavatories were partially fitted with bulbs for some time was that bulbs were not available. A consignment of bulbs has recently been received and action has already been taken to replace those which were fused.

(f) The lighting in stair-case was reduced in keeping with the general reduction in lighting which had to be effected owing to the shortage of power. They are partially lit.

(g) I take it that the Honourable Member is referring to road lighting. This is adequately lighted as it must be owing to the amount of traffic.

(h) The lighting standard will be increased when sufficient power becomes available.

(i) This does not arise as sufficient light is generally provided in the stairs. In cases where there is doubt I will have the lighting improved in so far as the power position permits.

# 74

## * Hardships under the Delhi Rent Control Order

436. **Sardar Sant Singh :** (a) Will the Honourable the Labour Member please state if it is a fact that a representation was submitted by the New Delhi House Owners' and Lessees' Association in December last against the provisions of the Rent Control Order to the Labour Department ? If so, has the representation been examined by the Department ? If so, what conclusions have been reached ?

(b) Is the Honourable Member aware that the Rent Control Order is causing great hardship ? If so, are Government prepared to replace it by the Punjab Rent Restriction Act, 1941, which is in force in Old Delhi ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes. The representation is still under consideration.

(b) No. The latter part of the question does not arise but I would refer the Honourable Member to the reply to part (c) of starred question No. 231.

**Sardar Sant Singh :** May I ask the Honourable Member if he has seen the recent judgment of the Honourable the Chief Commissioner of Delhi in this connection ?

**The Honourable Dr. B. R. Ambedkar :** I have not.

# 75

## @Licences for Exploration and Scientific Prospecting of Potential Oil Sources

441. **Mr. K. C. Neogy :** Will the Honourable Member for Labour be pleased to state whether it is a fact that licences for carrying on

* Legislative Assembly Debates (Central), Vol. II of 1943, 30th March 1943, p. 1590.
@ *Ibid.,* p. 1594.

exploration work and scientific prospecting in respect of certain potential sources of oil in India, have been granted to British and American Companies ? If so, to which parties have such licences been granted, and what are the terms thereof?

**The Honourable Dr. B. R. Ambedkar :** Except in Centrally Administered Areas, the licences referred to are granted by Provincial Governments. The Central Government has no information regarding licences granted by Provincial Governments. No such licences have been granted in Centrally Administered Areas.

The second part of the question docs not arise.

**Mr. K. C. Neogy :** In view of the fact that the Department of Geological Survey has recently started Utilisation Branch, do Government think it necessary to keep themselves informed about licences granted by the Provincial Authorities in the case of important minerals ?

**The Honourable Dr. B. R. Ambedkar :** Certainly.

**Mr. K. C. Neogy :** Do I take it that according to the information of the Government of India, particularly of the Geological Department, no such licences have been granted by any Provincial Government ?

**The Honourable Dr. B. R. Ambedkar :** We have at present no information. If My Honourable friend wants I can collect it for him.

**Mr. K. C. Neogy** : I understand from a scientific journal that licences have actually been granted to British and American companies for exploration work in connection with minerals.

**The Honourable Dr. B. R. Ambedkar :** If my Honourable friend wants the information I will collect it for him.

**Mr. K. C. Neogy :** Thank you.

# 76

## * Desirability of Partitioning Compounds in front of Orthodox Quarters in New Delhi in Furtherance of 'Grow More Food' Campaigns

444. **Hajee Chowdhury Muhammad Ismail Khan :** With reference to the propaganda made by Government in regard to growing more

* Legislative Assembly Debates (Central), Vol. II of 1943, 30th March 1943, p. 1595.

food, does the Honourable the Labour Member propose to consider the desirability of partitioning the joint compound in front of the A, B and C type of orthodox quarters in New Delhi by hedges to enable the tenants thereof to follow that scheme ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** There has been no general demand from the tenants concerned and if concrete suggestions are put forward by the tenants I am prepared to consider.

# 77

## * Desirability of Allowing Government Servants Living in the New Area to Apply for Quarters in the Old Area of New Delhi

89. **Mr. Amarendra Nath Chattopadhyaya :** (a) Is the Honourable Member for Labour aware that:

(i) according to Classification Rules the quarters in New Delhi for the ministerial establishment of the Government of India, are divided into two areas (a) Old Area (near the Secretariat) and (b) New Area (Minto Road side);

(ii) when a member of the staff goes out of a certain class of quarter and becomes eligible for a higher class, he is required to live in the New Area at least for a year before he is provided with a quarter in the Old Area ;

(iii) the Government of India have recently passed new rules for allotment under which persons holding Lens on quarters have been debarred from applying for any other quarters in the same class;

(iv) under the new rules referred to above, new applicants have straight off become eligible for quarters in the old area whereas persons, who have been living in the New Area for a sufficiently

* Legislative Assembly Debates (Central), Vol. II of 1943, 30th March 1943, p. 1595.

long time and whose names have been on the waiting list, have been deprived of this privilege which they have been enjoying for a long time without any cogent reason;

(v) the Government of India have framed the new rules without consulting the Imperial Secretariat Association, Attached Offices Association and the General Headquarters Association who watch the interests of the ministerial staff;

(vi) persons living in the New Area have pay at least six annas per day per head on bus or tonga hire while coming to, and going back from, office ; and

(vii) members of the staff living in the New Area are not drawing any conveyance allowance ?

(b) If the replies to parts (a) (i) to (vii) above in the affirmative, does he propose to remove this disability, with a view to allowing Government servants living in the New Area (Minto Road Area) to apply for quarters in Old Area ?

**The Honourable Dr. B. R. Ambedkar**: (a) (i) and (ii) No.

(iii) Yes.

(iv) Change of quarters is not allowed under the new rules except in the case of 'C' combined orthodox type, but as stated in the reply to (a) (i) the quarters are not divided into areas.

(v) Yes.

(vi) I am prepared to take this fact from the Honourable Member.

(vii) No conveyance allowance is given to the tenants of any quarters.

(b) I am prepared to have the matter Considered.

# 78

## *Operations of the Utilisation Branch of the Geological Survey of India in Respect of Certain Minerals

92. **Mr. K. C. Neogy :** Will the Honourable Member for Labour be pleased to make a detailed statement indicating the progress of the

* Legislative Assembly Debates (Central), Vol. II of 1943, 30th March 1943 pp 1596.98.

operations of the Utilisation Branch of the Geological Survey of India in respect of lead, sulphur, wolfram, tin, copper and mineral waters ?

**The Honourable Dr. B. R. Ambedkar :** A statement is laid on the table.

**Statement**

1. Lead.—In 1941-42, a thorough examination was made by the Geological Survey of certain long abandoned lead-zinc ore mines in Rajputana. It appeared that the most promising lead-zinc deposits in India were the mines at Zawar in Udaipur State which were at one time worked but have been abandoned for over 100 years. The mineral rights appertained to the Mewar State who had leased them to a commercial firm. As this firm was not in a position to exploit its lease rapidly (and rapid exploration was necessary if assistance was to be given to the war effort) Government decided to buy out their rights and themselves take a lease from the State. This has been done (fair compensation being paid to the commercial firm) and Government are carrying out their exploration under the terms of a lease granted by the Mewar State. Operations began at the end of May, 1942. They have been planned in two stages—(1) a detailed plane-table survey and deep drilling operations to be followed by (2) the opening up of deposits and the erection of a pilot ore-dressing plant as soon as drilling operations establish the workability of the lode. The old workings are being opened up by 4 Adits or headings. One of these headings has encountered a lode of lead-zinc ore which is of wide extent but which is not at present as a whole as rich as is desired. Another heading has entered some old workings which suggests rich ore. The other two headings have still to meet the lode. The progress of these operations has been satisfactory considering the difficulty in obtaining mine stores and machinery. It is not possible at present to say that any of the four headings must necessarily encounter high grade lead ore. They are merely initial operations and until they are fully conducted it would be premature to speculate as to the size and richness of the deposit.

Under peace-time conditions another two years development at the present rate of progress would be advisable before any decision is taken as to the plant required. The Government of India are, however, anxious to secure the earliest possible production in the interests of the war effort. It is hoped that in about three months' time it will be possible to gauge at least to some extent the character of the ore. Should payable ore have been found at the end of this period, Government will take steps to order and to erect ore-dressing machinery.

2. Sulphur.—On the outbreak of war the Geological Survey of India, as part of its drive for the discovery of menerals required for war purposes, devoted particular attention to sulphur. The most promising occurrence of sulphur in India is in a crater of an extinct volcano at Koh-i-Sultan in Baluchistan. Having carried out the original prospecting and examination of the working of the deposits to the administrative charge of the Supply Department, who established a small mining section under a special officer. The mining operations have however required more technical planning than it was first contemplated and with the formation of the Utilisation Branch of the Geological Survey it was found more convenient that that Branch should take over the mining and this has been done. There are two workable areas at Koh-i-Sultan—(i) Miri—which is higher up, less accessible and has not yet been worked ; and (ii) Batal—which is the deposit at present being worked. Considering quantities of+50 per cent, sulphur ore have been delivered to Indian industry. Proved reserved in the deposit at Batal are now nearing exhaustion in regard to +50 ore though there is still some quantities of lower grade ore and the Utilisation Branch are actively considering opening up the Miri deposits which are expected to be considerably richer than at Batal but there are considerable difficulties in regard to transport. The climate at Koh-i-Sultan, particularly at Miri, is very severe ; extreme cold being experienced during the winter and intense heat and high winds in summer. Labour is consequently difficult to attract. Owing to the

inaccessibility difficulties are likely to be experienced in the Transport of ore down from Miri, but all possible steps are being taken to overcome them.

So far only +50 per cent., sulphur ore has been extracted and the Utilisation Branch is now considering the possibility of opening up lower grade ores and washing the ore near Koh-i-Sultan to improve its quality.

The Utilisation Branch is also carrying out operations to prove some old sulphur mines near Sanni in Kalat State. At present boring operations are in progress there.

3. Wolfram.—The Utilisation Branch has been exploring two small deposits of wolfram-one in the Bankura district of Bengal and the other in the Nagpur District, C. P. A. certain quantity of wolfram has been extracted from the former deposit and supplied to the Supply Department. This deposit is not particularly attractive as the wolfram occurs dispersed in the rock reef and must be extracted therefrom. Quite a steady output has, however, been obtained from several scattered old low grade occurrences and it is now being considered whether machinery should be installed. The deposit in the Central Provinces is even poorer than that in Bengal. Owing, however, to the great value of wolfram for the war this deposit too is being further investigated and it is hoped to extract a certain quantity of wolfram. The principal occurrence of wolfram in India occurs in Jodhpur State and these mines are being worked by the Jodhpur Government. At the request of the State authorities the Utilisation Branch is giving every assistance by means of technical advice where required and in the supply of machinery.

4. Tin.—The Utilisation Branch has concentrated on a possible workable occurrence of tin ore in India in the Hazaribagh District of Bihar. Samples taken from the dump heaps show that tin ore has been worked in this area extensively. Efforts are being made to open up the old mines which appear to have extended deeply but are now filled with water. De-watering operations are now in progress, but have been hampered up to date by lack of or proper pumping equipments. Efforts are being made to secure pumping machinery.

5. Copper.—The Utilisation Branch have investigated the possibility of re-opening an abandoned copper mine in Bihar. These old mines

will also require de-watering and extensive underground survey and assays will have to be made before it will be possible to state whether they are workable. One or two other copper occurrences are also being investigated. They appear rather disappointing, but if assays are good, further exploration will be made.

6. Mineral waters.—The Geological Survey has made an exhaustive examination of the mineral springs in India and for the last 18 months experimented with 6 types of' 'Indian spring' Waters. They have been bottled as Red label (acid), White label (neutral), Green label (neutral), Blue label (Gastein), Blue label (Axis-les-Bains) and Yellow label (Vichy) types. The Red, White and Blue (Gastein) waters have been found to be efficatious and steps have been taken to bottle them for trial on a larger scale but arrangements have still to be made with the proprietors. The commercial aspect of these waters, both for Table mineral waters as well as for their valuable medical properties, is also under consideration.

# 79

## * Provision of Taps and for Unfiltered Water in Compounds of Orthodox Quarters in New Delhi

468. **Mr. Muhammad Azhar Ali :** (a) Is the Honourable the Labour Member aware:

(i) That sometime back his predecessor promised to provide taps for unfiltered water in the compounds or courtyards of the orthodox quarters of the ministerial establishment in New Delhi but later on decided to keep the taps already installed outside the quarters open during the last summer months which concession was withdrawn during the last summer owing to thefts of the connection-locks ;

(ii) that sort of arrangement was most inconvenient and in many cases the water had to be carried to the quarters from great distances by ladies and children in the sun during the summer months ; and

(iii) that there are fairly big compounds in front of the quarters which can be usefully used by the tenants for growing vegetables

* Legislative Assembly Debates (Central), Vol. II of 1943, 2nd April 1943, pp. 1733-34.

and other things in accordance with the Government propaganda for growing more food ?

(b) Does the Honourable Member propose to consider the desirability of having unfiltered water taps installed in the courtyard of each quarter as in the case of unorthodox quarters ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) (i). Presumably the Honourable Member is referring to the reply given by my predecessor to starred question No. 230 asked by Bhai Parma Nand in this House on the 28th February, 1940. My predecessor did not promise to provide taps for unfiltered water in the compound or courtyards of the orthodox clerks quarters in New Delhi and he stated that he was considering the desirability of doing so. It was decided to keep the hydrants (and not taps) in front of these quarters open during the summer months and to fix some mechanical contrivance on the hydrants, and this arrangement was continued during the last summer season except in cases where the attachment was either damaged or stolen.

(ii) I cannot say that the arrangement was most inconvenient.

(iii) Yes.

(b) No. In view of the financial stringency and non-availability of the material the question of providing unfiltered water taps in the courtyards of these quarters cannot be considered until normal times. I may mention for the information of the Honourable Member that taps have not been provided in the courtyards of the unorthodox clerks quarters and that the mechanical devices similar to the one fixed on the hydrants in front of the orthodox clerks quarters has been provided on the hydrants in the orthodox quarters.

**Mr. Lalchand Navalrai :** May I know from the Honourable Member what is the free allowance of water given to these orthodox quarters ?

**The Honourable Dr. B. R. Ambedkar :** I would like to have notice of that.

**Mr. Lalchand Navalrai :** In view of the fact that the Government is not able to give them unfiltered water now, will the Honourable Member consider the question of increasing the free supply of filtered water to 10,000 gallons.

**The Honourable Dr. B. R. Ambedkar :** I will consider that.

# 80

## * Deputation on Behalf of the Coal Industry in Bengal and Bihar

**Mr. K. C. Neogy:** Will the Honourable the Labour Member be pleased to state whether he received on the 25th March last a deputation on behalf of the different organisations representing the coal industry in Bengal and Bihar ? If so, what was the subject matter of the representation made by the deputation, and what action is proposed to be taken by Government thereon ?

**The Honourable Dr. B. R. Ambedkar :** A deputation of the organisations representing the coal industry in Bengal and Bihar was received on the 25th March as stated by the Honourable Member.

The subject matter was their anxiety concerning future arrangements to replenish their existing rice stocks. The deputation stated that their Associations saw no certain prospects of maintaining their stocks as the Provincial Governments concerned, whilst promising whatever help they could give, did not feel able to guarantee supplies. The Central Government pointed out that they had asked the organisations some time back for a combined distribution scheme which had not been received. The deputation was informed that the Central Government were importing considerable quantities of rice into Bengal and that if it were found the Provincial Governments were not able to help, then assistance would be given by the Central Government. Since then representatives of the organisations have had an interview with a representative of the Food Department in Calcutta, and the food position of coal mining labour has been secured for a future period by the provision of certain supplies by the Central Government.

**Mr. K. C. Neogy :** The Honourable Member referred to replenishing existing stocks of rice. Is the Honourable Member in a position to state approximately the quantity of rice that may be available now to the different collieries ?

**The Honourable Dr. B. R. Ambedkar :** As I stated in my reply, the food position of the coal-mining labour has been secured for a further period by the provision of certain supplies by the Central Government.

* Legislative Assembly Debates (Central), Vol. II of 1943, 2nd April 1943, pp. 1734-35.

**Mr. K. C. Neogy :** What I was referring to was the existing rice stocks which the Honourable Member referred to. What is the amount of these existing rice stocks ?

**The Honourable Dr. B. R. Ambedkar :** The position differed in Bengal and Bihar, and if I remember correctly, what was stated by the deputation was that they had stocks for four or five weeks.

# 81

## * Scheme for Cheap Grain Shops for Bengal and Bihar Colliery Labour

**Mr. K. C. Neogy :** (a) Will the Honourable the Labour Member please state if it is a fact that in a communication to the Governments of Bengal and Bihar, the Labour Department of the Government of India proposed a scheme for the establishment of cheap grain shops in April 1942, for the benefit of colliery labour ? If so, what response did the scheme meet with at the hands of the two Provincial Governments and of the organisations of the coal industry ?

(b) Has any effective action been taken by either of the two Provincial Governments as an alternative to the above scheme for ensuring a cheap supply of food grains to colliery labour ? If so, on what lines, and when ?

(c) What action, if any, has been taken by the organisations of the coal industry or by individual collieries for the supply of cheap food grains to labour; and what help, if any, has been rendered by either of the two Provincial Governments to them in the matter ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes. The Bihar Government considered that other methods of dealing with the problem were preferable. No reply was received from the Bengal Government.

(b) So far as the Central Government's information goes both the Provincial Governments have through their local officers taken all possible steps to ensure a supply of food grains at cheap rates to colliery labour.

(c) It is not understood what the Honourable Member means by cheap food grains. The principal Employers' Organisations in the coal

* Legislative Assembly Debates (Central), Vol. II of 1943, 2nd April 1943, p. 1735.

industry made arrangements to supply food grains at reasonable prices to their labour. The Provincial Governments assisted them in obtaining food grains.

**Mr. K. C. Neogy :** I am afraid I have not received a reply to the second part, clause (b), of my question, viz., "Has any effective action been taken by either of the two Provincial Governments : if so, on what lines and when ?"

**The Honourable Dr. B. R. Ambedkar :** As I said, they helped them to secure food supplies.

**Mr. K. C. Neogy :** But exactly in what way ?

**The Honourable Dr. B. R. Ambedkar :** They helped them in getting them.

**Mr. K. C. Neogy :** But in what way was that help rendered, because we have instances in which there was actual hindrance ?

**Dr. Sir Zia Uddin Ahmad :** What steps have the colliery owners taken to supply food to their labour ?

**The Honourable Dr. B. R. Ambedkar :** As I said, they maintained stocks and were also helped by the provincial Governments to maintain them.

**Mr. K. C. Neogy :** Has the attention of the Honourable Member been drawn to an instance in which certain stocks of rice which certain colliery owners acquired for their collieries were actually commandeered by the Government and a complaint to that effect was made by them to the Provincial Governments and here ?

**The Honourable Dr. B. R. Ambedkar :** I have no such information.

# 82

## * The War Injuries (Compensation Insurance) Bill Presentation of the Report of the Select Committee

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I present the Report of the Select Committee on the Bill to impose on employers a liability to pay compensation to workmen sustaining war injuries and to provide for the insurance of employers against such liability.

* Legislative Assembly Debates (Central), Vol. III of 1943, 26th July 1943, pp. 42-43.

# 83

## *The Indian Boilers (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move for leave to introduce a Bill further to amend the Indian Boilers Act, 1923.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is :

> "That leave be granted to introduce a Bill further to amend the Indian Boilers Act, 1923."

The Motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir, I introduce the Bill.

# 84

## @ The Mines Maternity Benefit (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move for leave to introduce a Bill to amend the Mines Maternity Benefit Act. 1941.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is :

> "That leave be granted to introduce a Bill to amend the Mines

Maternity Benefit Act, 1941."

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir, I introduce the Bill.

# 85

## †The Motor Vehicles (Drivers) Amendment Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move for leave to introduce a Bill to amend the Motor Vehicles (Drivers) Ordinance, 1942.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is :

> "That leave be granted to introduce a Bill to amend the Motor Vehicles (Drivers) Ordinance, 1942."

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir, I introduce the Bill.

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*Legislative Assembly Debates (Central), Vol. III of 1943, 26th July 1943, p. 43.

@ *Ibid.,* p. 43.

†*Ibid.,* p. 43.

# 86

## *Unsatisfactory Arrangements for Accommodation of Assembly at Simla

**61. Mr. Amarendra Nath Chattopadhyaya :** (a) Will the Honourable the Labour Member be pleased to state if it is not the duty of the Estate Officer, Central Public Works Department, to arrange for the accommodation of the Member of the Assembly when they are wanted temporarily at Simla for attending Committee meetings ?

(b) Is it not their duty to see that the Members are not put to any inconvenience on account of light or bad arrangements for accommodation ?

(c) Is the Honourable Member aware of the fact that the Cart Road quarters which were set apart for the Assembly Members viz., 2, 3 and 11 during the Hindu Law Committee Sittings were more inconveniently arranged in comparison with No. 20 ? Is the Honourable Member prepared to enquire into the matter of selecting these quarters for the Assembly Members by the Estate Officer during Committee meetings in May and June ?

(d) Will the Honourable Member consider changes in the arrangements in these quarters after proper enquiries ?

**The Honourable Dr. B. R. Ambedkar :** (a) The Estate Officer's duty is to allot such accommodation to the Members of the Central Legislature as is specified by Government in consultation with the House Committee.

(b) All the quarters are planned so as to avoid, as far as possible, any inconvenience to Members.

(c) The quarters on the Cart Road were built according to approved plans. Quarters Nos. 2 and 3 are on the highest level and were reserved for the Members in consultation with the House Committee of the Legislature, as they were considered to be very conveniently situated. The arrangement of the rooms in Nos. 2 and 3 differs slightly from that of the rooms in No. 20. Some Members consider a particular arrangement of the rooms in a house convenient irrespective of the level

* Legislative Assembly Debates (Central), Vol. III of 1943, 28th July 1943, p. 129.

of the house, while others may prefer quarters at a higher level irrespective of the arrangement of the rooms. It cannot therefore, be said that quarters Nos. 2 and 3 are more inconveniently arranged than No. 20. No. 11 was not occupied by any Member of the Legislature, as it was exchanged for No. 20. In the circumstances explained, no special enquiry is called for.

(d) As already stated, the quarters for the Members of the Legislature were reserved in consultation with the House Committee of the Legislature. No changes seem necessary unless the House Committee expresses a desire for them.

**Sir Muhammad Yamin Khan :** May I ask if the Members who attended the Sub-Committee meetings in Simla were asked to deposit a sum of Rs. 75 as security before they could get electricity and water ?

**The Honourable Dr. B. R. Ambedkar :** I must have notice of that question.

**Sir Muhammad Yamin Khan :** Does the Honourable Member know that Members have been asked to deposit money here in Delhi ?

**The Honourable Dr. B. R. Ambedkar :** I have no idea.

**Mr. Lalchand Navalrai :** May I ask if there is any officer appointed to go round these quarters and look to the comforts of the Members ?

**The Honourable Dr. B. R. Ambedkar :** I have no idea.

**Mr. Lalchand Navalrai :** Will the Honourable Member then appoint some officer ?

**The Honourable Dr. B. R. Ambedkar :** I will make inquiries in the matter.

**Dr. P. N. Banerjea :** How many meetings of the House Committee are held during every Session ?

**The Honourable Dr. B. R. Ambedkar :** It is for the House Committee to decide how many times they should meet.

**Dr. P. N. Banerjea :** Have you any information on the subject ?

**The Honourable Dr. B. R. Ambedkar :** I remember there was a meeting of the House Committee during the last Session.

**Mr. Lalchand Navalrai :** May I know if some of the Members of the House Committee have died and have they been replaced by some other Members ?

**The Honourable Dr. B. R. Ambedkar :** I am very sorry to hear the news but I am sure the house will take such steps as are necessary to fill the vacancy.

# 87

## * Provision of a Rickshaw Stand at the Cart Road Quarters, Simla

62. **Mr. Amarendra Nath Chattopadhyaya :** Will the Honourable Member for Labour be pleased to state if Cart Road quarters in Simla are kept for occupation by the Members of the Central Legislature ? If so, does he propose to ask the Municipal Committee of Simla (i) to set up a Rickshaw Adda near about the quarters for the convenience of the Members ; and (ii) not to charge security deposit for temporary occupation of the quarters by the Assembly Members for electric light ?

**The Honourable Dr. B. R. Ambedkar :** As the Members occupy a very limited number of quarters on the Cart Road for short periods at a time, Government do not feel justified in approaching the Simla Municipal Committee for the provision of a rickshaw stand in the locality. The supply of electric energy in Simla is the concern of the Simla Municipal Committee and Government regret they are unable to interfere with the Municipal arrangements in this respect.

# 88

## @ Water Supply in New Delhi and Delhi

66. **Mr. Lalchand Navalrai** : (a) Will the Honourable the Labour Member be pleased to state the arrangements that have been made for the supply of sufficient water for all purposes in New Delhi and Delhi itself to remove the inconvenience caused by the scarcity of water in these very hot days ?

(b) Is it a fact that the Jumna river bed was being straightened to get water to the pumps ? If so, how far has that scheme progressed, and will the water brought therefrom be sufficient for all purposes in both Delhi and New Delhi ?

(c) What arrangements are proposed to be made to cool the water which in these summer days gets too hot in the pipes ?

* Legislative Assembly Debates (Central), Vol. III of 1943, 28th My 1943, p. 130.
@*Ibid.*, pp. 134-35.

**The Honourable Dr. B. R. Ambedkar :** (a) In order to improve the supply of filtered water, five additional filters were installed this summer, and two large pumping sets have been ordered from England and are expected in India in October. The scarcity of unfiltered water was due to a sudden fall in the level of the Jumna. In order to raise the level of the water, a series of bunds was put up across the channel. The situation has since improved and there is now no shortage.

(a) Experiments for training the river so as to divert its dry weather channel along the right bank, on which the pumping station is situated, are being conducted at the Central Hydro-dynamic Research Station, Poona. A committee of experts recently appointed to investigate the matter have submitted their report which is being examined.

(b) No arrangements for cooling the water are feasible.

**Mr. Lalchand Navalrai :** Why is it not feasible ? Is it because it is too cold here ?

**The Honourable Dr. B. R. Ambedkar :** The Honourable Member is entitled to draw his own conclusions.

**Mr. Lalchand Navalrai :** Is it unusually cold here ?

**The Honourable Dr. B. R. Ambedkar :** I leave my Honourable friend to draw his own conclusions.

**Pandit Lakshmi Kanta Maitra :** Why don't you utilise the Defence of India Act for this purpose.

# 89

## * Muslim Assistant Estate Officers in Central Public Works Department

71. **Mr. Nabi Baksh Mahi Baksh Bhutto :** (a) Will the Honourable Member for Labour be pleased to state the number of Assistant Estate Officers in the Central Public Works Department ?

(b) How many of them are Musalmans ?

(c) Is the ratio of Muslims maintained ?

**The Honourable Dr. B. R. Ambedkar :** (a) Four ; one post being vacant at present.

* Legislative Assembly Debates (Central), Vol. III of 1943, 28th July 1943, p. 139.

(b) None.

(c) Not at present, but the ratio of Muslims will soon be adjusted as the Federal Public Service Commission has been asked to recruit a Muslim for the Vacant post.

# 90

## * Construction of New Buildings at Ghaziabad

72. **Sardar Sant Singh** : (a) Will the Honourable Member for Labour be pleased to state if his attention has been drawn to the leading article in Dawn of the 29th June, 1943, under the caption "Thick Waste"? If so, what is the reason for building these houses at Ghaziabad and not near about New Delhi ?

(b) Is it a fact that, these houses will be temporary constructions for the period of war ? If so, is he aware that accommodation for the Gazetted personnel of the Government of India is inadequate in New Delhi ? If so, why do not Government propose to construct houses which may be of use to the Gazetted staff after the war ?

(c) What use will Government make of the houses at Ghaziabad if these are not required by the Defence Department after the war ?

**The Honourable Dr. B. R. Ambedkar** : (a) Yes. But the facts stated in the article are not entirely correct.

(b) and (c). The matter is under consideration, and no definite decision has been reached.

# 91

## @ Scheme of Sickness Insurance for Industrial Workers

127. **Mr. Nabi Baksh Illahi Baksh Bhutto** : (a) Will the Honourable Member for Labour be pleased to state if the Scheme of Sickness Insurance for Industrial Workers has been completed ?

(b) When is the Scheme expected to come into operation ?

* Legislative Assembly Debates (Central). Vol. III of 1943, 28lh July 1943. p. 139.
@ *Ibid.,* 2nd August 1943, p. 268.

(c) Does the Honourable Member propose to lay on the table a copy of the Scheme ?

(d) Is it also proposed to lay on the table the opinions expressed by Provincial Governments on the Scheme ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) The Government of India have appointed a Special Officer to prepare a draft scheme of Sickness Insurance for workers in selected industries. The scheme is now under preparation but it is not possible at this stage to say when it will come into operation.

(c) and (d) These points will be considered later on. Legislation will be necessary, and the House will of course be fully informed of the details of the scheme.

**Mr. Lalchand Navalrai :** How far has the scheme been completed ?

**The Honourable Dr. B. R. Ambedkar :** A preliminary report has been received.

**Mr. Lalchand Navalrai :** When approximately is this going to be completed ?

**The Honourable Dr. B. R. Ambedkar :** I cannot say anything about it.

**Mr. Lalchand Navalrai :** Say two years or one year ?

**The Honourable Dr. B. R. Ambedkar :** Within two months' time.

**Mr. Lalchand Navalrai :** Thank you.

# 92

## * Fixing Rents Lower than Pre-war Rental Value in Babar Road Area

132. **Sardar Sant Singh :** (a) Is the Honourable the Labour Member aware :

(i) that rents for middle class tenement houses in the Babar Road Area have been fixed by the Rent Controller at Rs. 42-8-0 per mensem from the 1st July, 1942 ; and

(ii) that this rent is less than the rental value of Rs. 560 per annum assessed by the New Delhi Municipal Committee for levying house-tax on these houses ever since 1938-39 ?

* Legislative Assembly Debates (Central), Vol. III of 1943, 2nd August 1943, p. 271.

(b) What are the grounds for fixing the rents lower than the prewar rental value as assessed by the New Delhi Municipal Committee in 1938-39 ?

(c) How do Government justify the levy of house-tax at an excessive rate for all these years ?

(d) If the assessment was not excessive, how do Government justify the order of the Rent Controller ?

(e) Is he aware that the house-owners in this area are mostly middle class people who have been hit hard by this arbitrary decision of the Rent Controller ?

(f) What rents are fixed by the Rent Controller for houses having approximately a similar residential accommodation near the Pusa Road in Qarol bagh Area, and in any other composite area in New Delhi ?

(g) Is he aware that while controlling rents of houses in Calcutta, the Bengal Government have allowed an increase of ten per cent. in rents over the rents prevailing in 1941 ?

(h) Does he propose to allow a similar increase in rents in New Delhi ? If not, why ?

**The Honourable Dr. B. R. Ambedkar :** (a) (i). There are several different classes of tenements in the Babar Road Area carrying different rents. The rent of Rs. 42-8-0 is for one class tenements only.

(ii) Yes.

(b) The rents are fixed under clause 8 of the Delhi House Rent Control Order, 1939, under which the Rent Contoller has to fix the fair rent of a house having regard to the prevailing rates of rents for the same or similar accommodation in similar circumstances during the twelve months prior to the 1st September, 1939.

(c) This is not a matter for Government.

(d) In view of the reply to part (b) above, the question does not arise.

(e) Yes, but Government have no reason to believe that the house-owners have been hit hard.

(f) There are no houses in Qarol bagh having the same or similar accommodation.

(g) I have no official information on the point.

(h) No, Government do not see any justification for it.

**Sardar Sant Singh :** Will the Honourable Member make inquiries as to the difference in rental value assessed by the New Delhi Municipal

Committee and the rent which is allowed to the owner and see that some justice is done to the landlords and the rents are increased ?

**The Honourable Dr. B. R. Ambedkar** : I cannot do that, because the fair rent is fixed by the officer. There is no reason to supose that his judgment is in any way miscarried by any circumstances which he ought not to take into account.

# 93

## * Prohibition of Constructions Involving Use of Cement, Steel and Timber

135. **Sir Abdul Halim Ghuznavi** : (a) In view of the Government order announced in some places by beat of drums prohibiting constructions of all descriptions involving the use of cement, steel and timber, will the Honourable Member for Labour be pleased to state whether this order applies to constructions which are nearing completion and do not require cement, steel and teak wood ?

(b) If the answer to (a) is in the negative, will the owners of such premises be granted permission for making and fitting the requisite panels for doors and wood-sashes for windows out of mango wood and other materials already in their possession, provided that the authorities are satisfied after verification that all the materials required are already in their stock ?

(c) If the answer to (b) is in the affirmative, do Government propose to issue instructions to that effect to all provinces ? If not, will all constructions, irrespective of whether they involve the use of cement, steel and timber, be kept in abeyance now ?

**The Honourable Dr. B. R. Ambedkar :** (a) to (c) In order to curtail the demand for labour and materials and to check inflationary tendencies, the Government of India have asked the Provincial Governments to do what they can to discourage the construction of buildings, etc., by local bodies and private persons. These are general instructions and the Provincial Governments are at liberty to give effect to them in whatever manner they consider suitable having regard to the conditions prevailing in the Province. I would therefore suggest that

*Legislative Assembly Debates (Central), Vol. III of 1943, 2nd August 1943, pp. 273-74.

the Member approaches the Provincial Government whose orders he desires to have clarified.

**Mr. Lalchand Navalrai :** May I know if these things have been prohibited because they are being supplied for war purposes or they have been prohibited for some other reason ?

**The Honourable Dr. B. R. Ambedkar :** For war purposes.

**Sir Abdul Halim Ghuznavi :** May I inform the Honourable Member that the District Magistrate of Mathra has refused permission to an Honourable Member of this House to complete his house. He wanted to put in only 22 panels of mango and 22 panels for doors. That was the only thing to be done, but the District Magistrate refused to give the permission.

**Mr. Chairman** (Syed Ghulam Bhik Nairang): That is a statement of facts and not a question.

**The Honourable Dr. B. R. Ambedkar :** I am glad to receive the information.

**Sir Abdul Halim Ghuznavi :** Is it a fact that the Commissioner of Agra Division was approached in this connection and he said that if the gentleman concerned could convince the District Magistrate that he already had in his possession the necessary wood to complete the house, he would give him the sanction. He convinced the District Magistrate that he had the ncessary wood in his possession and yet he refused to give him the permission.

**Mr. Chairman** (Syed Ghulam Bhik Nairang) **:** Again it is a statement and not a question.

**Mr. Lalchand Navalrai :** May I know if the half-completed house or three-fourths completed houses have also been prohibited from being built?

**The Honourable Dr. B. R. Ambedkar :** I have no information on the point.

**Mr. Lalchand Navalrai :** Have any exceptions been made in this matter?

**The Honourable Dr. B. R. Ambedkar :** We have given general instructions to the provinces.

**Mr. Lalchand Navalrai** : They have not been given any discretion ?

**The Honourable Dr. B. R. Ambedkar** : I am sure the discretion will be exercised with due care.

**Mr. Lalchand Navalrai** : Then the Central Government has not given any instructions yet ?

The Honourable Dr. B. R. Ambedkar : I cannot say at this stage.

# 94

## * Cost of Raising Buildings in New Delhi and Simla Connected with War Activities

144. **Sardar Sant Singh :** Will the Honourable the Labour Member please state the total cost incurred by the Government of India in raising buildings in New Delhi and Simla, separately, connected with the War activities since September 1939 ? Was any expense incurred on behalf of Americans ? If so, how much, and who met it ?

**The Honourable Dr. B. R. Ambedkar :** The following expenditure had been incurred up to the end of March 1943 :

(i) New Delhi—Rs. 1,55,14,629.

(ii) Simla—Rs. 24,65,137.

(iii) On behalf of Americans—Rs. 38,47,916.

(This has been debited to Defence Services Estimates under Reciprocal Lease/Lend arrangements.)

**Maulana Zafar Ali Khan :** May I know if after the war all these temporary buildings will be demolished ?

**The Honourable Dr. B. R. Ambedkar :** Yes.

**Sardar Sant Singh :** Which Government meets the expenditure of Rs. 38,47,916 on Americans ?

**The Honourable Dr. B. R. Ambedkar :** The government of India under the reciprocal Lease/Lend arrangements.

**Sardar Sant Singh :** Will this expenditure on the tax-payers of India be later on debited to the accounts ?

**The Honourable Dr. B. R. Ambedkar :** Notice.

* Legislative Assembly Debates (Central), Vol. III of 1943, 2nd August 1943, p. 282.

# 95

## * Factories Adversely Affected by the Former Standard Time

@151. **Qazi Muhammad Ahmad Kazmi :** (a) Will the Honourable the Labour Member please state which factories (and in which part of the country) were adversely affected by the former standard time which used to be observed in India ?

(b) What is the number of such factories, and what is the estimated amount of loss to those factories caused by the keeping up of the standard time?

(c) Do Government propose to consider the advisability of restoring the old standard time ? If so, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Government have no information that factories in any part of India were adversely affected by the former standard time.

(b) Does not arise.

(c) The reply to the first part is in the negative. The reasons for the advance of time have been explained by Government in a Press communique a copy of which is laid on the table of the House. No grounds have been shown for a restoration of the old standard time.

### Press Communique

The existence of two different standards of time in India is for purposes of defence undesirable and since the 15th May this year a uniform standard time has been observed throughout the country. In deciding what that standard should be the Government have had to consider on the one hand the convenience of that portion of India which lies to the West of meridian 82½ and already enjoys sufficient daylight saving and on the other the requirements of the eastern Provinces where it is essential to avoid any electricity overload due to overlap of factory demands with those of domestic, office and street lighting and where extra daylight may be needed to mitigate the effect of obscuration. Since in the summer months there is an adequate margin of daylight in the eastern areas, it was considered that by an adjustment of office

* Legislative Assembly Debates (Central), Vol. III of 1943, 2nd August 1943. p. 285.

@ Answer to this question laid on the table, the questioner being absent.

and factory hours the requirements of those areas during the summer could be adequately met if Standard Time were fixed at 5½ hours ahead of Greenwich Mean Time throughout India and a unform time was introduced accordingly as from the 15th May. The Government of India undertook, however, to consider the question of a further change before the winter season commenced. It has now been decided that to insure the continuance of sufficient daylight in the eastern Provinces it is necessary to make such a change in the near future, and that Indian Standard Time throughout the country should be 6½ hours ahead of Greenwich Mean Time. The change will take effect from midnight or the 31st August—1st September from which date clocks will be advanced by one hour. It is fully realised that the advance of clocks by one hour must inevitably cause some inconvenience to areas lying west of meridian 82½ but it is believed that by an adjustment of hours of work, this inconvenience can be overcome and that when the public becomes accustomed to the new time no great difficulty will be experienced.

# 96

## * Fall in Output of Coal

28. **Mr. K. C. Neogy :** (a) Will the Honourable Member for Labour please state if it is a fact that since January, 1943, the output of coal in British India has gone down ? If so, did Government make any enquiry about the reason for this fall in output, and what practical steps do Government propose to take to improve the situation ?

(b) Is it a fact that the stock of coal was much less at collieries in British India on the 31st of May, 1943, than the stock that was reported to exist on the 31st of December, 1942 ? If so, what are the reasons for such a deterioration ?

(c) Is it a fact that sufficient number of wagons was not available between the 1st January, 1943, and 31st of May, 1943, even to carry away the raisings of that particular period? If so, what is the explanation for the reduction in the stock ?

* Legislative Assembly Debates (Central), Vol. III of 1943, 2nd August 1943, p. 286.

(d) Is it a fact that about 30 collieries in the Kajora field in the Province of Bengal with a raising of approximately over ten lakhs of tons a year, are going to be shut down for want of wagon facilities due to the military authorities using the portion of the line serving these collieries, although it is possible to carry the military goods from the Ondal Junction by the military lorries ?

**The Honourable Dr. B. R. Ambedkar :** (a) No. The second part of the question does not arise.

(b) The stock figures reported to exist on the 31st December, 1942, are not reliable. Improved methods of collecting figures of stocks have since been introduced. It is believed that stocks have not deteriorated but increased between 31st December, 1942, and 31st May, 1943.

(c) Answer to the first part is in the affirmative. Answer to the second part is in the negative.

(d) No. Kajora field is worked by several pilots. It is presumed that the question refers particularly to the area worked by Okhra Nos. 1 and 2 Pilots. Approximately 30 collieries are worked by these two Pilots. The capacity for coal of these two Pilots is 100 wagons which represents approximately 2,000 tons of coal per day or 7,20,000 tons per annum. Both these Pilots have been getting preferential suplies of wagons as they have large orders from B and A Railway. With the wagon position as at present prevailing in the Bengal and Bihar fields, it is extremely unlikely that even if the capacities of these Pilots were increased the collieries would get more than 100 wagons a day. For the Military Depot 20 wagons in the capacity of Okhra No. 2 Pilots have been provided, but as explained above this arrangement is not likely to cause these collieries to shut down. The Government of India are not aware whether the military can carry goods from Ondal Junction by military lorries.

# 97

## * Concessions *re* Oil Resources in British India to British or American Firms

30. **Mr. K. C. Neogy :** Will the Honourable Member for Labour be pleased to refer to starred question No. 441, dated the 30th March, 1943, and lay on the table a statement giving the names of British or

* Legislative Assembly Debates (Central), Vol. III of 1943, 2nd August 1943, p. 287.

American firms that may have secured concessions (including exploration or prospecting licences) in respect of the potential oil sources in any part of British India, together with a summary of the principal terms and conditions thereof in each case ?

**The Honourable Dr. B. R. Ambedkar :** The attention of the Honourable Member is invited to the statement placed on the table of the House today giving the information promised in answer to the supplementaries on question No. 441, dated the 30th March, 1943.

# 98

## * Summary of Proceedings of the Third Meeting of the Standing Labour Committee

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I lay on the table a copy@ of the Summary of Proceedings of the third meeting of the Standing Labour Committee held on the 7th and 8th May, 1943.

# 99

## † Sikhs in High Salaried Posts in the Central Public Works Department

**209. Sardar Sant Singh :** Will the Honourable Member for Labour please state the number of posts carrying salaries of Rs. 400 per mensem or over in the Central Public Works Department and in Sections other than the Central Public Works Department ? How many of these posts are held by Sikhs ?

**The Honourable Dr. B. R. Ambedkar :** There are 60 posts on salaries rising to Rs. 400 or more and 82 posts on salaries of Rs. 400 and upwards. Of the total of 142 posts, 6 are held by Sikhs.

It is not understood to which office the Member refers by the words 'Sections other than the Central Public Works Department.

* Legislative Assembly Debates (Central), Vol. III of 1943, 2nd August 1943, p. 292.

@ *Not included in these Debates, but a copy has been placed in the Library of the House.*—Ed. of D.

† Legislative Assembly Debates (Central), Vol. III of 1943, 5th August 1943, p. 426.

# 100

## * Establishment Branch of the Office of the Chief Engineer, Central Public Works Department

†210. **Sardar Sant Singh :** (a) Will the Honourable the Labour Member kindly state if it is a fact that a separate Branch to deal with establishment matters and to facilitate the work of selection board in the office or the Chief Engineer, Central Public Works Department, was set up recently ?

(b) What is the total number of staff working in this Branch, and how many of them are Hindus, Muslims and Sikhs ?

(c) Is it a fact that none of the members of the staff including the Superintendent has any experience of establishment matters ?

(d) Why were not experienced people already working in the Establishment Branch considered suitable for employment in this Branch ?

(e) Is it a fact that establishment matters of the Muslim personnel are dealt with quickly while those of other communities lie unattended to for an indefinite period ?

(f) Do Government propose to investigate an enquiry into the communal work done by this Branch ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) Total No. of staff 12

| | | | |
|---|---|---|---|
| Hindus | ... | ... | 5 |
| Muslims | ... | ... | 6 |
| Sikhs | ... | ... | Nil |
| Indian Christians | ... | ... | 1 |

(c) No; two assistants and three clerks were taken from the Establishment Branches.

(d) More staff could not be removed from the Establishment Branches without detriment to the work there.

(e) No.

(f) No.

* Legislative Assembly Debates (Central), Vol. III of 1943, 5th August 1943, p. 426.
†Answer to this question laid on the table, the questioner having exhausted his quota.

# 101

## * Representations Against the Appointment of One Bakshi Madan Singh in the Central Public Works Department

@211. **Sardar Sant Singh :** (a) Will the Honourable the Labour Member please state if it is a fact that one Bakshi Madan Singh was appointed as an Assistant in the Works Section, Central Public Works Department, against a vacancy reserved for 'other minorities' ?

(b) Was he asked at the lime of recruitment to produce a certificate as to the bonafides of his being a Sikh in accordance with the procedure laid down by the Home Department ? If not, why not ?

(c) Are Government aware that Bakshi Madan Singh has been "Petit" 3 or 4 times before he joined service, and that he kept hair to deceive the Government to get a job reserved for the Sikh Community ?

(d) Is it a fact that a number of representations were made to the Additional Chief Engineer and the administrative Officer by the local Sikh organisations and none of these has even been acknowledged so far?

(e) Do Government propose to replace this person by a bonafide Sikh?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) No. The Department had no doubts as to his bonafide at the time of his appointment.

(c) No. Government had no information to this effect.

(d) Yes. They are being acknowledged.

(e) Only, if it is established that he embraced Sikhism within a year of his application for employment, or being a Keshdhari had become patit before his employment.

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* Legislative Assembly Debates (Central), Vol. III of 1943, 2nd August 1943, pp. 426-27.

@ Answer to this question laid on the table, the questioner having exhausted his quota.

# 102

## * Commercial Aspects of Indian Spring-Waters

50. **Mr. K. C. Neogy :** Will the Honourable Member for Labour be pleased to refer to the unstarred question No. 92, dated the 30lh March 1943, and make a statement :

(a) explaining whether the commercial aspects of the Indian spring-waters referred to therein have been examined, and whether the arrangements to bottle the waters for trial have been completed ; and

(b) indicating the location of the different springs which have so far been tried and found satisfactory ?

**The Honourable Dr. B. R. Ambedkar :** (a) The commercial aspects of Indian spring-waters are still under examination. The arrangements to bottle the waters for trial are complete.

(b) The springs occur on private land, as negotiations are still in progress with the proprietor of the land, Government do not consider it desirable to disclose the location of the springs at this stage.

# 103

## @ Survey of Hydro-Electric Possibilities in India

274. **Mr. T. T. Krishnamachari** (on behalf of Mr. R. R. Gupta) : (a) Will the Honourable member for Labour be pleased to state if Government have directed a survey of Hydro-electric possibilities in this country ? If so, when was the survey last carried out, and by whom ?

(b) Do not Government consider that, in view of the generally accepted policy of conservation of India's better class coal resources, hydro-electric developments should be actively encouraged, particularly in the United Provinces, the Punjab and the Central Indian States, which are situated away from the sources of India's coal supply ? If so, in what form do Government propose to encourage such development ?

* Legislative Assembly Debates (Central), Vol. III of 1943, 5th August 1943, p. 434.
@ *Ibid.,* 12th August 1943, p. 642.

(c) What is the installed generating capacity of the State Hydroelectric schemes developed by the United Provinces and the Punjab Governments, Native States like Mysore and Travancore, and the Tatas in Bombay, and what is the unabsorbed load available from these schemes at present ?

(d) Does the Honourable Member propose to lay on the table a statement showing from their latest data the possible head works site of the new hydro-electric schemes in India, together with the power likely to be obtained from each of the generation schemes ?

(e) Have Government thought out any possibility of converting Railways to be driven electrically in those localities where cheap power can be obtained ?

**The Honourable Dr. B. R. Ambedkar :** (a) A brief survey of major hydro-electric possibilities throughout India was made about the end of 1941 by the Electrical Commissioner with the Government of India ;

(b) Promotion of hydro-electric schemes is primarily the concern of Provincial Governments and States. The Central Government is, how ever, fully alive to the desirability of hydro-electric development and the post-war organisation of the electricity supply industry including hydro-electric development is engaging the attention of the Reconstruction Committee of Council.

(c) and (d) During war-time it is not in the public interest to publish the information asked for. In any case, as already stated, the promotion of hydro-electric schemes is primarily the concern of the Provincial Government and States.

(e) Yes, the question has been considered from time to time and is always kept in view, but the availability or cheap power is only one of the factors which would determine the conversion of a particular section to electric traction.

# 104

## * Inclusion of certain Details in the Working of the Payment of Wages Act

289. **Mr. Muhammad Azhar Ali :** (a) Will the Honourable Member for Labour please state if it is a fact that the Report on the working of the Payment of Wages Act on Railways does not indicate

* Legislative Assembly Debates (Central), Vol. III of 1943, 12th August 1943, p. 654.

the particulars of the applications presented to and disposed of by the authorities appointed under the Payment of Wages Act ?

(b) If the reply to part (a) be in the affirmative, does he propose to take steps for the inclusion of the particulars of the applications with a review thereon in the next reports ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) At present what the Honourable Member suggestes is a fact.

(b) I shall consider the suggestion.

# 105

## * Sulphur Mined in Baluchistan and Firms Supplied with Sulphuric Acid Manufacturing Plants

290. **Mr. T. T. Krishnamachari** (On behalf of Mr. R. R. Gupta) : (a) Will the Honourable the Labour Member be pleased to state the quantity of sulphur mined in Baluchistan by the Utilisation Branch of the Geological Survey of India, and the total amount so far spent in such mining operations ?

(b) Is it a fact that the deposit of sulphur in the present site of mining in Baluchistan, available for further exploration, is small ? In any case, what is the estimated tonnage of the unworked deposit at the moment ?

(c) Is it a fact that the Department of Supply has notified the sugar mill concerns in India that no supply of sulphur can be arranged for the mills in connection with the next crushing season ? If so, what is the reason for such a notice being given to the sugar mills ? If no such notice has been given, how were supplies of sulphur secured for the sugar mills in the last two crushing seasons, and how is it proposed to arrange the suply during the next ?

(d) Is it a fact that a large quantity of sulphur-dioxide ($SO_2$) gas is wasted as a by-product in connection with the operation of copper smelling furnance in India ? If so, is it a fact that such gaseous waste

* Legislative Assembly Debates (Central), Vol. III of 1943, 12th August 1943, pp. 654-55.

can be easily converted into sulphuric acid ? Did Government examine the posibility or such a source of supply of sulphuric acid, and, if so, with what result ?

(c) Is it a fact that since the outbreak of the war, the Department of Supply imported a number of sulphuric acid manufacturing plants ? If so, what is the number of such plants, and how have they been disposed of ? Do Government propose to lay on the table a statement showing the firms to whom such plants, if any, have been made available, and the special reason for which the plants were supplied to them in each case ?

**The Honourable Dr. B. R. Ambedkar** : (a) It is not in the public interest to state the quantity of sulphur mined. The total amount so far spent on Baluchistan Sulphur Operations is Rs. 11,85,000.

(b) No. It is not in the public interest to disclose the estimated tonnage of unworked deposits.

(c) No. Supplies of sulphur for the sugar industry during the last crushing season were met partly from American imports and partly by depiction of reserve stocks. Sugar mills are being supplied with Baluchistan sulphur ore which they will refine individually or alternatively have refined at a central plant set up with Government sanction and the resultant pure sulphur will be used in the sugar mills during the crushing season. Any deficit on estimated requirements will be met from American imports arranged by the Supply Department.

(d) Sulphur dioxide is produced as a by-product during the smelting of copper in India. It occurs in the flue gases in a highly diluted form with other gases and its efficient conversion into sulphuric acid is difficult. The possibility of using this source of supply for production of sulphuric acid and sulphur was examined very early in the war but was not proceeded with as the processes called for the import of complicated and expensive machinery with technical personnel and even then successful recovery was problematic.

(e) No. Full information regarding the proposed import of plants from America was given by the Honourable the Supply Member in answer to unstartred question No. 47 on 4th August 1943.

# 106

## * Lead Mine in Jawar in Udaipur State

291. **Mr. T. T. Krishnamachari** (on behalf of Mr. R. R. Gupta) : (a) Will the Honourable the Labour Member please state if it is a fact that a lead mine is being worked in Jawar in the Udaipur State by the Utilisation Branch of the Geological Survey of India ? If so, what is the. amount of money spent so far in the working of this mine, and what is the average percentage of lead and zinc occurring in the ores extracted from this mine ?

(b) Have Government any information or lead deposits occurring in any other part of India, and, if not, what fraction of India's lead requirements is likely to be met from Jawar source alone ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes. A sum of Rs. 6½ lakhs has been spent upto the end of June 1943. The average percentage found in exploration up to date is 2 per cent lead and 8 per cent zinc.

(b) Yes, the most likely occurrances known at present are at Chauthka-Barwara in Jaipur State.

# 107

## @ Wolfram Deposits Discovered in a Bengal District

292. **Mr. T. T. Krishnamachari** (on behalf of Mr. R. R. Gupta) : Will the Honourable the Labour Member be pleased to state if it is a fact that some wolfram deposits have been discovered by the Geological survey of India in a Bengal District ? If so, what is the quantity of wolfram so far won from this source, and how has it been disposed of?

**The Honourable Dr. B. R, Ambedkar :** Yes. During war-time it is not in the public interests to disclose the quantity of wolfram won. The ore is disposed of through the Supply Department (Directorate-General, Munitions Production).

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* Legislative Assembly Debates (Central), Vol. III of 1943, 12th August 1943, p. 655.

@ *Ibid.,* p. 655.

# 108

## * Functions of the Labour Welfare Advisers and Labour Advisers

297. **Mr. Amarendra Nath Chattopadhyaya :** (a) Will the Honourable the Labour Member please state the functions of the Labour Welfare Advisers and Labour Advisers appointed in the Labour Department ?

(b) How many such officers have been appointed so far ?

**The Honourable Dr. B. R. Ambedkar :** (a) The functions of the Labour Welfare Advisor and his Deputy and Assistants are to report to Government and advise on all such meters relating to the welfare of industrial labour in India as Government may direct.

The duties of the Labour Adviser were to advise on all important matters of labour legislation and administration, and in particular the manner in which labour problems that were under consideration or might arise had been or were being dealt with in England.

(b) There is one Labour Welfare Adviser, one Deputy Labour Welfare Adviser and 7 Assistant Labour Welfare Officers.

One Labour Adviser was appointed from December 1942 to June 1943.

There is at present no Labour Adviser

**Mr. Amarendra Nath Chattopadhyaya :** Will they advise on dearness allowance ?

**The Honourable Dr. B. R. Ambedkar :** No. Sir.

**Mr. T. T. Krishnamachari :** Does the Labour Adviser, of the Honourable Member, as distinct from the Labour Welfare Adviser, represent the employees' interests.

**The Honourable Dr. B. R. Ambedkar :** Not at all Sir

# 109

## @ Steps for Eliminating Immediate Causes of Industrial Disputes

298. **Mr. Amarendra Nath Chattopadhyaya** : (a) Will the Honourable the Labour Member please state what effective steps for

* Legislative Assembly Debates (Central), Vol. III of 1943 12th August 1943 p 657

@ *Ibid.,* pp. 657-58.

eliminating the immediate causes of industrial disputes to ensure the unhampered war production have been taken so far, both in the Government's own war-factories and in private factories engaged wholly or partly on war-orders ?

(b) Have Government decided to adopt an all round policy of having all disputes referred to the adjudication before workers are compelled to go on a strike ?

(c) Do they propose to advise all Provincial Governments to do so ?

**The Honourable Dr. B. R. Ambedkar :** (a) Government have attempted to secure fair conditions for labour both in their own factories and in private employment. Where disputes arise the methods of conciliation and adjudication are available.

(b) and (c) No. The general policy of Government is to resort to adjudication if and when the method of conciliation has failed. The present machinery for the settlement or disputes has been evolved in consultation with Provincial Governments and general uniformity of practice has already been achieved.

# 110

## * Demolition of a Mosque on Ashoka Road, New Delhi

**Mr. President** (The Honourable Sir Abdur Rahim) : I have received notice of motion of adjournment from Maulvi Abdul Ghani who wants to discuss a definite matter of urgent public importance, namely, the demolition of a mosque in the premises of quarter No. 9, Asoka Road, by the Government Officers and men of the Public Works Department.

When did this take place ?

**Maulvi Muhammad Abdul Ghani** (Tirhut Division : Muhammadan): It was done about ten days ago but I got information about it only last night.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is not the only person interested. If it is an urgent public matter it is for every one to take notice of it immediately. Why was no notice taken before ?

* Legislative Assembly Debates (Central), Vol. III of 1943, 21st August 1943, p. 897.

**Sir Muhammad Yamin Khan** (Agra Division : Muhammadan Rural): Sir, it did not come to the notice of any Member of the House until yesterday, because it was done in one of the Government quarters.

**Mr. President** (The Honourable Sir Abdur Rahim): Then how did the Honourable Member come to know at all about it ?

**Sir Muhammad Yamin Khan** : Some passers-by came and informed some Members and made a complaint.

**Mr. President** (The Honourable Sir Abdur Rahim): Have Government anything to say about this ?

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I have had no notice of this motion. Evidently my Honourable friend wrote a letter giving notice of this adjournment motion to the Department of Education, Health and Lands, which has been just now handed over to me.

**Mr. President** (The Honourable Sir Abdur Rahim): I want to know the facts.

**The Honourable Dr. B. R. Ambedkar** : I have made inquiries from my Department and I am told that they do not know of any such incident at all. As I said, I have not had sufficient time to make inquiries in the matter, and I have no reason to suppose that any such demolition has taken place. However, if my Honourable friend chooses to put a short notice question. I will make inquiries and let him have the information he wants.

**Mr. President** (The Honourable Sir Abdur Rahim): I think that will be the best course.

**Mr. H. A. Sathar H. Essak Sait** (West Coast and Nilgiris : Muhammadan): Then this motion can be held over.

**Mr. President** (The Honourable Sir Abdur Rahim) : If a short notice question is put I will consider it later.

**Sir Muhammad Yamin Khan :** In any case the short notice question cannot be put today and can only be asked on Tuesday if the Assembly sits till then.

**Mr. President** (The Honourable Sir Abdur Rahim): Better ask a short notice question.

# 111

## * Demolition of a Mosque on Asoka Road, New Delhi

**Maulvi Muhammad Abdul Ghani :** Will the Honourable the Labour Member be pleased to state :

(a) Whether he is aware of the existence of a Mosque in Asoka Road in Government Quarter No. 9 ;

(b) Whether the said Mosque has partly been demolished by Public Works Department men at the instance of a Public Works Department Official;

(c) Whether the demolition work was stopped due to the agitation by Muslims;

(d) What steps the Government have taken to prevent such demolition and whether they have taken steps against the person at fault; if so, with what result; and

(e) What steps Government are going to take to remedy the harm done to the building ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes—of an old, dilapidated and unused mosque.

(b) No. One of the arches on the northern wing of the mosque accidentally collapsed while felling a tree against which it was leaning. The request for the removal of the tree came from the present occupant of the house-Major Anwar who complained that the tree was obstructing the light.

(c) No.

(d) There was no demolition by the Central Public Works Department, and so this question does not arise.

(e) It is an old dilapidated building, and no harm to it has, therefore, been caused.

**Sir Muhammad Yamin Khan :** When the tree was cut, why the precaution was not taken to see that the arch which was leaning against the tree might be kept in a safe condition ?

**The Honourable Dr. B. R. Ambedkar :** I have no reason to suppose that due precaution was not taken against such an accident.

* Legislative Assembly Debates (Central), Vol. III of 1943,25th August 1943, p. 980.

**Sir Muhammad Yamin Khan :** Even the efficient Engineers of the P. W. D. could not protect one arch ? Am I to take it with all due precaution, they were unable to protect one arch ?

**The Honourable Dr. B. R. Ambedkar :** Such an accident may happen notwithstanding the due care and attention.

**Sir Muhammad Yamin Khan :** When the mosque exists in a quarter which is occupied by the Government and which was open to the public before the Government built their quarter, is it not the duty of the Government to see that it is properly repaired and kept in proper order?

**The Honourable Dr. B. R. Ambedkar :** I do not suppose there is any reason to believe that this mosque was in actual use either before or after the quarter was built.

**Maulana Zafar Ali Khan :** Will Government give us an assurance that the demolished portion of the mosque will be restored by necessary repairs ?

**The Honourable Dr. B. R. Ambedkar :** It is quite unnecessary to do it because it was not used as a mosque nor is it a protected monument.

**Sir Muhammad Yamin Khan :** Will the Honourable Member make a way for the public to get into this mosque ?

**The Honourable Dr. B. R. Ambedkar :** As I said, it is no longer in use as a mosque.

**Sir Muhammad Yamin Khan :** May I know the reason why it is not in use as a mosque ?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is arguing.

**Sir Muhammad Yamin Khan :** I want to know whether the Government is going to make it accessible to the public so that it can be used as a mosque ?

**The Honourable Dr. B. R. Ambedkar :** It has never been in use as a mosque.

**Maulana Zafar Ali Khan :** Has the Government any objection if I carry out the repair at my expense ?

**The Honourble Dr. B. R. Ambedkar :** The Honourable Member may make an application and the Department will consider it.

**Seth Yusuf Abdoola Haroon :** Is it not a fact that the occupant of this quarter did object to the cutting of the tree ?

**The Honourable Dr. B. R. Ambedkar :** The position is just the reverse. The tree was cut at the instance of the occupant of the quarter.

**Seth Yusuf Abdoola Haroon :** Will the Honourable Member make a reference to the occupant of the quarter ?

**The Honourable Dr. B. R. Ambedkar :** I have no reason to suppose that the information I have given is not correct.

**Nawabzada Muhammad Liaquat Ali Khan :** What reason has the Honourable Member to suppose that the information given by an Honourable Member of this House is not correct ?

**Mr. President** (The Honourable Sir Abdur Rahim) **:** That is arguing.

**The Honourable Dr. B. R. Ambedkar :** I have official information. I don't know how reliable is the source of the Hon. Member's information.

# 112

## * The Indian Trade Unions (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I beg to move for leave to introduce a Bill further to amend the Indian Trade Unions Act, 1926.

**Mr. President** (The Honourable Sir Abdur Rahim) : The question is :

> "That leave be granted to introduce a Bill further to amend the Indian Trade Unions Act, 1926"

The Motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir, I introduce the Bill.

# 113

## @ Equalization of Rates of Allowance for Men and Women under the Indian War Injuries Scheme

47. **Mr. N. M. Joshi :** (a) Has the attention of the Honourable the Labour Member been drawn to the fact that the difference made between the rates of allowances paid to men and women under the War Injuries Schemes in Great Britain has been removed some time back so that men and women receive allowances at the same rates ?

* Legislative Assembly Debates (Central), Vol. IV of 1943, 8th November 1943, p. 30.

@ *Ibid.,* 9ih November 1943, p. 68.

(b) If the reply to the above be in the affirmative, do the Government of India propose to make a similar change in the Indian War Injuries schemes, and to bring the rates of allowances paid to men and women on the same level ?

**The Honourable Dr. B. R. Ambedkar** : (a) Since notice of this question was received, I have ascertained the position in Great Britain. It is a fact that the distinction between rates for relief for men and women has been abolished in Great Britain.

(b) The question will be considered.

# 114

## * Insertion in Government Contracts of Condition for Fair Treatment of Labour

48. **Mr. N. M. Joshi :** Will the Honourable the Labour Member be pleased to state whether the subject of the need for insertion in Government contracts of a condition regarding fair treatment of labour was discussed at one of the Tripartite Labour Meetings ? If so, what action do the Government of India propose to take on the subject ?

**The Honourable Dr. B. R. Ambedkar :** Yes, it was at the third meeting of the Standing Labour Committee. To be precise the subject discussed was need for insertion of a condition regarding fair wages for labour in Government contracts, and not fair "treatment" of labour. Government have already accepted the principle so far as the Central Public Works Department is concerned and the necessary preliminary steps for enforcing such a provision are under active consideration. The question or the introduction of such a clause in the contracts of other Government Departments will be taken up soon after the scheme has been introduced in respect of Central Public Works Department labour.

**Mr. Hooseinbhoy A. Lalljee :** What is the meaning of "active consideration" ? Is there any time limit involved ?

**The Honourable Dr. B. R. Ambedkar :** Yes; I see quite clearly the difference between a matter being under consideration and under active consideration.

**Mr. Hooseinbhoy A. Lalljee :** Is there any difference of time ?

**The Honourable Dr. B. R. Ambedkar :** That means that the matter is really nearing completion.

* Legislative Assembly Debates (Central), Vol. IV of 1943, 9th November 1943, p. 68.

# 115

## * Rules Concerning "Out of Class" Allottees in New Delhi

**49. Maulvi Muhammad Abdul Ghani :** (a) Will the Honourable the Labour Member please state whether it is a fact that before the introduction of the revised rules for allotment of residences in New Delhi during the war, persons who were allotted quarters were allowed as a concession to remain in occupation of those quarters after they became out of class, when no accommodation of the class to which they were entitled was available ?

(b) If the answer to (a) is in the affirmative, what are the reasons for penalising the same occupants by the introduction of the proviso below rule 7 (2) (b) by relegating them to a junior position by treating the dates on which they became out of class as the dates of their posting ?

(c) Is it not a fact that by the operation of the proviso referred to in (b) above, the persons remain longer in occupation of the lower class of quarters and thus great hardship is caused to persons who are entitled to those quarters under revised rule 4 by compelling them to wait longer than it would be necessary had the proviso not been in operation ?

(d) Does the Honourable Member propose to reconsider, and to remove the grievances of all concerned by deleting the proviso below rule 7 (b) under lists II and III.

(e) Does the Honourable Member realise that by the introduction of the new policy viz., determination of seniority as regards the claim for quarters by the total length of service, practically all new entrants to whatever class of quarters they were entitled will have to go without quarters and be put to great hardship ?

(f) With a view to redressing their grievance, does he propose to consider the feasibility of amending the rule so as to allow the counting of seniority from the date of posting in the case of new entrants who have not been allotted any quarter so far and in the case of others from the date on which they became out of class ?

* Legislative Assembly Debates (Central), Vol. IV of 1943, 9th November 1943, pp. 68- 69.

(g) If the amendments suggested were accepted, will they be given immediate effect?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) The penalising arises more from the shortage of accommodation than from the proviso to rule 7(2)xx(b).

(c) Yes, but this cannot be helped under the existing circumstances.

(d) No. Nothing can remove the grievances unless there is increased accommodation at the disposal of Government, which does not seem to be possible so long as the war lasts.

(e) I do not consider that this is the case, but so long as the accommodation available is short of requirements, whatever rules are made, some persons are bound to be put to hardship.

(f) This is already provided for in the rules.

(g) Does not arise.

# 116

## * Supply of Foodgrains to Employees of the Labour Department in Bengal at Concession Rates

5. **Mr. K. C. Neogy :** (a) Will the Honourable Member for Labour be pleased to state the different classes of employees under the control of his Department and employed in Bengal that are in the enjoyment of a concession under which foodgrains are supplied to them at controlled or reduced prices ?

(b) What is the total number of such employees and what quantities of rice, wheat and other foodgrains have been supplied to them at controlled or reduced prices, month by month, since January last ?

(c) Who are charged in Bengal with the duty of furnishing supplies for the benefit of these employees and what is the approximate extent of the stocks that they had to maintain from time to time to enable them to discharge their obligation, and through what agencies in Bengal have these stocks been acquired, and at what prices on an average, month by month ?

* Legislative Assembly Debates (Central), Vol. IV of 1943, 9th November 1943, p. 81.

**The Honourable Dr. B. R. Ambedkar :** The attention of the Honourable Member is invited to reply given by the Honourable the Food Member to starred question No. 55 on the 9th November 1943.

# 117

## * Certain Irregularities in the Working of the Payment of Wages Act

130. **Mr. Lalchand Navalrai :** (a) Will the Honourable Member for Labour be pleased to state the number of irregularities detected by the Conciliation Officer (Railways) and Supervisor of Railway Labour, during the years 1939-40 and 1940-41, in the working of the Payment of Wages Act ? If there is an increase during the latter year, what steps do Government propose to take besides reporting to Railway administrations concerned to remedy this ? If none, why ?

(b) Will the Honourable Member please give a reference to the specific provision of the Payment of Wages Act, or rules framed thereunder, sanctioning the course of reporting irregularities to Railway administration instead of to the authorities set up under Section 15 of the Act ?

(c) If there is no such provision, why is not action taken under Section 15(3) of the Payment of Wages Act by Labour Inspectors ?

**The Honourable Dr. B. R. Ambedkar :** (a) The number of irregularities detected during 1939-40 and 1940-41 were 3,012 and 4,158, respectively, Railway Administrations have recently been directed to take suitable steps to obviate the recurrence of these irregularities. If the irregularities continue to increase, the question of making formal applications under Section 15 of the Act will be considered. Government does not consider it necessary to proceed formality under the provisions of that Section when satisfactory settlement in the individual cases can be otherwise achieved.

(b) There is no such provision in the Payment of Wages Act or the rules framed thereunder.

* Legislative Assembly Debates (Central), Vol. IV of 1943, 13th November 1943, pp. 230-31.

(c) The provisions of Section 15(3) are not mandatory and there is nothing in the Act to prevent an Inspector from making reports to Railway Administration and getting any claims settled amicably.

**Mr. Lalchand Navalrai** : Have these Inspectors enough power to make recommendations ?

**The Honourable Dr. B. R. Ambedkar :** Yes.

**Mr. N. M. Joshi :** May I ask if these irregularities are found on the Company-managed railways or even on the State-managed railways ?

**The Honourable Dr. B. R. Ambedkar :** I must have notice of that question.

# 118

## * Activities of the Conciliation Officer (Railways)

131. **Mr. Lalchand Navalrai :** (a) Will the Honourable Member for Labour be pleased to refer to his reply to Mr. N. M. Joshi in regard to starred question No. 147 asked by me on the 19th February, 1943, stating that he would consider extending the field of activities of the Conciliation Officer (Railways), and state whether any action has been taken in the matter ? If so, is it proposed to make a brief statement on the subject ?

**The Honourable Dr. B. R. Ambedkar :** The question is still under consideration and I am not at present in a position to make any statement.

**Mr. Lalchand Navalrai :** What is delaying the consideration so much ?

**The Honourable Dr. B. R. Ambedkar :** I said that the matter is under consideration.

**Mr. Lalchand Navalrai :** Why is it taking so long ?

**The Honourable Dr. B. R. Ambedkar :** I do not think it has taken a long time.

**Mr. Hooseinbhoy A. Lalljee :** When will it reach the stage of active consideration ?

**The Honourable Dr. B. R. Ambedkar :** The stage of consideration is now complete.

**Mr. Govind V. Deshmukh :** Since when has the matter been under consideration ?

* Legislative Assembly Debates (Central), Vol. IV of 1943, 13th November 1943, p. 231.

**The Honourable Dr. B. R. Ambedkar** : For a long time and particularly since the time when Mr. Joshi asked his question.

# 119

## *Institution of Engineers

**136. Mr. Ananga Mohan Dam :** Will the Honourable the Labour Member be pleased to state :

(a) whether the Institution of Engineers is an examining body whose diploma of A.M.I.E. is recognised by the Government of India as being equivalent to degree standard in Engineering ;

(b) whether the Government (Central or Provincial) financially help this Institution ; if so, the amount of aid granted ;

(c) whether it is not a fact that the Institution has for its patrons and Honorary Members, Their Excellencies the Viceroy and the Provincial Governors ;

(d) whether Government are aware that this Institution has obtained the Royal Charter;

(e) whether it is a fact that sister Institutions in England, e.g., the Institute of Mechanical Engineers, the Institute of Civil Engineers, the Institute of Electrical Engineers, have not yet recognised the examinations conducted by the Institute of Engineers, India ; and

(f) if the Government of India propose to move His Majesty's Government to request these British institutions to accord recognition to this Indian Institution ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) The Central Government do not render any financial help to the Institution, but I have no information whether Provincial Governments do so or not.

(c) His Excellency the Viceroy and provincial Governors are Honorary Members of the Institution.

(d) Yes.

(e) Government have no information.

(f) It is for the Indian Institution itself to raise the question, if necessary. I would, therefore, suggest to my Honourable friend that he addresses that Institution in the matter.

* Legislative Assembly Debates (Central), Vol. IV of 1943, 13lh November 1943, pp. 233-34.

# 120

## * Constructing a Large Hotel for Indian Clerks in New Delhi

@ 145. **Sardar Sant Singh :** (a) Will the Honourable the Labour Member please state whether Government have considered the advisability of constructing a large several storeyed building in New Delhi in the form of a big hotel in order to provide lodging and boarding facilities for Indian clerks who are otherwise put to considerable difficulties in obtaining these at present ?

(b) Is it a fact that many buildings have been constructed for the accommodation of European single non-Commissioned Officers, etc., and that these are being run as hostels ?

(c) Are Government prepared to provide similar facilities for the Indian single clerks ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Government are considering the possibility of erecting a hostel for clerks.

(b) Yes.

(c) Government have already provided chummries of Orthodox and Un-orthodox types for Indian single clerks and they are considering whether there will be an adequate demand to justify the erection of a hostel.

# 121

## †Delay in Attending to the Complaints Made to Minto Road and Havelock Square Enquiry Offices, New Delhi

@ 147. **Sardar Sant Singh :** (a) Will the Honourable the Labour Member please state whether Government are aware that complaints made to the Enquiry Offices at Minto Road and Havelock Square regarding repairs, etc., to orthodox clerks quarters in those neighbourhoods are attended to generally after considerable delay ?

* Legislative Assembly Debates (Central), Vol. IV of 1943, 13th November 1943, pp. 242-43.

† *Ibid.,* pp. 243-44.

@ Answer to this question laid on the table, the questioner being absent.

(b) Are Government aware—

(i) that some of these complaints are not attended to at all; and

(ii) that letters sent on the subject to the Executive Engineer, Construction III Division, or to other authorities in 'B' Division, remain unacknowledged and without any action being taken on them?

(c) Are Government prepared to issue instructions to the authorities concerned to acknowledge all letters sent to them, and to take appropriate action thereon ? If not, why not ?

(d) Are Government aware—

(i) that a lot of inconvenience is being caused to their tenants by the irregular method adopted by the contractors regarding whitewashing, etc.;

(ii) that they send men round to the quarters and the tenants are asked to keep their rooms clear of furniture on a certain day, and then while-washing labour is not sent for several days later; and

(iii) that when white-washing is finished the cleaning of doors and glass panes is not done at once, and the tenants are unable to arrange their houses for several days ?

(c) Are Government prepared to take action to redress these grievances of their tenants ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) (i) No.

(ii) Action on letters received by Executive Engineers is taken at once and necessity is not felt of acknowledging all letters.

(c) Yes.

(d) (i), (ii) and (iii) No.

(e) Yes, Government intend issuing instructions to Executive Engineers to make frequent personal inspections.

## 122

### * Newly-Constructed E-Type Orthodox Quarters in the Open Space Between Baird Square East and Irwin Road in New Delhi

@148. **Sardar Sant Singh :** (a) Is the Honourable the Labour Member aware that a number of E-Type orthodox quarters have been

* Legislative Assembly Debates (Central), Vol. IV of 1943, 13th November 1943, p. 244.

@ Answer to this question laid on the table, the questioner being absent.

constructed in the open space lying between Baird Square, East and Irwin Road in New Delhi ?

(b) Is he aware—

(i) that this area now looks very much like a congested portion of the city containing small gallies and lanes ; and

(ii) that the present officials of the Central Public Works Department have totally ignored the original idea of the layout of New Delhi, and have made the said area very congested ?

(c) Is it a fact that it is proposed to construct more E-type orthodox quarters ?

(d) Are Government prepared to consider the advisability of constructing new quarters in such a manner that the "Clerks' residential areas" do not become more congested than they are at present, and that provision is made for lawns and open spaces near these quarters ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) (i) and (ii) No.

(c) Yes.

(d) Government have always acted in this manner.

# 123

## * Desirability of Closing Certain Passages in Havelock and Baird Squares New Delhi

@149. **Sardar Sant Singh :** (a) Will the Honourable the Labour Member please state whether it is a fact that all the squares of D-type orthodox clerks quarters in the D.I.Z. Area of New Delhi had their four corners open as passage ?

(b) Is it a fact that these passages were closed later ?

(c) Was one of the reasons to protect the lawns in front of the quarters in those squares ?

(d) Are Government aware—

(i) that in Havelock and Baird Squares, B and C-type of quarters, there are passages after every two quarters except at the corners ; and

* Legislative Assembly Debates (Central), Vol. IV of 1943, 13th November 1943, pp. 244-45.

@ Answer to this question laid on the table, the questioner being absent.

(ii) that coolies and labourers use these passages regularly, and cross the lawns at different places with the result that the lawns in these two squares are disfigured by foot tracks ?

(e) Are Government prepared to have these passages closed and grass relaid on these tracks ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b) Yes.

(b) No.

(c) Yes.

(d) Government will examine the suggestion.

# 124

## * Growing of More Vegetables in Orthodox Quarters in New Delhi

@150. **Sardar Sant Singh :** (a) With reference to the general appeal of Government to grow more food and vegetables, will the Honourable Member for Labour please state whether the Government of India staff living in New Delhi at orthodox type of quarters can grow vegetables in large quantities ?

(b) Is it a fact that the courtyards of D-type particularly, and of E, C and B-type orthodox quarters generally, are very small in size, and cannot be used to produce any large quantity of vegetables, etc. ?

(c) Are Government prepared to allot some extra land outside their quarters to such members of their orthodox staff who may ask for it for the purpose of growing vegetables, etc., and to have such land duly enclosed ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Vegetables may be grown in small quantities for the domestic consumption of the staff occupying these quarters.

(b) Yes.

(c) No. The proposal if accepted would soon result in destruction of lawns. Fencing is expensive and cannot be provided by Government, and it is unlikely that the staff living in these quarters will be able to make adequate use of such extra land.

* Legislative Assembly Debates (Central), Vol. IV of 1943, 13th November 1943, p. 245.

@ Answer to this question laid on the table, the questioner being absent.

# 125

## * Commissioned Officers in Civil Pioneer Force, United Provinces

29. **Mr. Piare Lall Kureel :** Will the Honourable Member for Labour be pleased to state :

(a) the total number of commissioned officers (different ranks) so far recruited in the Civil Pioneer Force, United Provinces ;

(b) how many of them are Hindus, Muslims and members of the Scheduled Castes;

(c) how many of these commissioned officers have been promoted to higher ranks ;

(d) if any scheduled caste commissioned officer has so far been promoted to the higher rank ; and

(e) if the answer to (d) be in the negative, if Government propose to make such promotion now ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b) Twentyfive officers of commissioned rank have been appointed. The ranks and communities of the officers are—

| | | Muslims | Scheduled Castes | | Others |
|---|---|---|---|---|---|
| Commandants | ... | ... | ... | 2 | (One Christian). |
| Captains | ... | ... | ... | 2 | (One Christian). |
| Lieutenants | ... | ... | ... | 7 | (Two Christians). |
| 2nd Lieutenants | ... | 4 | 3 | 7 | |

(c) Two Commandants and two Captains were appointed in those ranks on first commission. Seven 2nd Lieutenants have been promoted to the posts of Lieutenants.

(d) No.

(f) Promotion to higher rank can only be made within the authorised establishment of those ranks as vacancies become available. Subject to the authority of the Central Government, the power to make promotions is entrusted to the provincial Government. Except to

* Legislative Assembly Debates (Central), Vol. IV of 1943, 13th November 1943, pp. 24849. Na 4635—44*a*

prevent positive injustice it is not considered desirable to interfere with the discretion of the Provincial Government in this matter, particularly as regards the higher posts. Promotions are regulated by two considerations (1) Efficiency and (2) Seniority. Since efficiency of the Unit must depend on the efficiency of its officers, efficiency must be the basis of promotion. But in case where efficiency is equal, seniority of service in the Force is also taken into account in making promotions.

# 126

## * Counting of Services of Commissioned Officers in Civil Pioneer Force as War Services

30. **Mr. Piare Lull Kureel :** Will the Honourable Member for Labour be pleased to state :

(a) whether the services of the commissioned officers in the Civil Pioneer Force will be counted as war services ; if not, why not; and

(b) if the answer to (a) above be in the negative, if Government propose to revise their decision ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes. (b) Does not arise.

# 127

## * Beveridge Report for Post War Social Security

229. **Khan Bahadur Mian Ghulam Kadir Muhammad Shahban :** Will the Honourable the Labour Member be pleased to state :

(a) whether Government have considered the Beveridge Report for post-war social security ;

(b) whether they have any social security plan in view for India after the cessation of hostilites ;

(c) whether, if the matter has not yet engaged their attention, they will take it up now with a view to evolving a plan similar to what is known as "Beveridge Plan" for this country ; and

*Legislative Assembly Debates (Central), Vol. IV of 1943, 13th November 1943, p. 249.

**Ibid.,* 17th November 1943, pp. 410-11.

(d) on what lines, if any, the Post-War Reconstruction Committee is working ?

**The Honourable Dr. B. R. Ambedkar** : (a) It is not for the Government of India to consider the Beveridge Report submitted to the Government in the United Kingdom. The Government of India are, however, aware of the Report.

(b) and (c). I would invite the attention of the Honourable Member to the resolution on this subject passed at the last meeting in September, 1943,. of the Tripartite Labour Conference. Copies of the resolution are placed on the table of the house. The Government of India is giving active consideration to the question of implementing the resolution.

(d) I would invite the Honourable Member's attention to the statement laid on the table of the Council of State on the 4th August, 1943, by the Honourable Sir Jwala Prasad Srivastava in reply to question No. 74 by the Honourable Pandit H. N. Kunzru.

Resolution passed at the Tripartite Plenary labour Conference held at New Delhi on the 6th and 7th September, 1943.

This Tripartite Labour Conference recommends that with a view to provide adequate materials on which to plan a policy of social security for labour the Central Government in co-operation with the Governments of the Provinces of British India, the Indian States and the Chamber of Princes should immediately set up machinery to investigate questions of wages and earnings, employment and housing and social conditions generally, and that as soon as possible after receipt of the required statistics and data the Central Government should appoint a mixed Committee to formulate plans of social security.

# 128

## * Neglect of Lawns in Front of Orthodox Clerks' Quarters in D.I.Z. Area, New Delhi

232. **Sardar Sant Singh :** (a) Will the Honourable the Labour Member please state whether it is a fact that the lawns in front of

* Legislative Assembly Debates (Central), Vol. IV of 1943, 17th November 1943, p. 412.

orthodox clerks' quarters in the D.I.Z. area of New Delhi are not properly maintained ?

(b) Is it a fact that most of the ground is covered with dried up stunted grass ?

(c) Is it a fact that the roads bordering these lawns have almost in all cases lost their alignment, and that some portions of the road are covered with grass, while in other cases the grass has completely disappeared and is covered by bajri and soil ?

(d) Is it a fact that there are malis regularly employed by the Horticultural Division to look after these lawns ?

(e) Is the Honourable Member aware that these malis water the lawns only once or twice a month and do not pay any attention to anything else ?

(f) Are Government prepared to take action to see that these lawns are properly maintained ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) No.

(c) No.

(d) Yes.

(e) The malis not only water the lawns but also keep them in proper order.

(f) The question does not arise, but Government will be prepared to enquire into any bonafide complaints on this subject.

**Sardar Sant Singh :** Has the Honourable Member simply given the reply on the note prepared by the Department or has he taken pains to see the conditions of these quarters to satisfy himself whether the allegations made in the question are correct or not ?

**The Honourable Dr. B. R. Ambedkar :** I have no reason to suppose that the information supplied to me is not correct.

# 129

## * Operation of the Payment of Wages Act on East Indian Railway

**236. Nawab Siddique Ali Khan** (on behalf of Qazi Muhammad Ahmad Kazmi): Will the Honourable the Labour Member be

* Legislative Assembly Debates (Central), Vol. IV of 1943, 17th November 1943, p. 414.

pleased to state :

(a) the number of cases of contravention of the Payment of Wages Act (Act IV of 1936), detected on the East Indian Railway during each of the years 1941, 1942 and upto the 15th October, 1943 ;

(b) the number of applications made to the authority appointed under section 15(1) of the Payment of Wages Act by the Inspectors for offences committed by the East Indian Railway authorities since the Act was brought into force in 1937; and

(c) the number of cases in which penalties were imposed under section 20 against the East Indian Railway Officers ?

**The Honourable Dr. B. R. Ambedkar :** (a) The number of cases of contraventions of the Payment of Wages Act on the East Indian Railway were 334 during 1941-42, 481 during 1942-43 and 123 from 1st April to 15th October 1943.

(b) Nil.

(c) Nil.

# 130

## * Operation of the Payment of Wages Act on East Indian Railway

237. **Nawab Siddique Ali Khan** (on behalf of Qazi Muhammad Ahmad Kazmi): (a) Will the Honourable the Labour Member please state if it is or it is not a fact that the Inspectors of Railway Labour have to obtain prior sanction, from the Supervisor of Railway Labour for any action they may intend to take against offenders under the Payment of Wages Act ?

(b) If the reply to (a) above be in the affirmative, what is the number of instances when such permission was sought and sanction accorded relating to cases of contravention of the Payment of Wages Act on the East Indian Railway year by year from 1937 ?

**The Honourable Dr. B. R. Ambedkar :** (a) It is only the Supervisor of Railway Labour and his Deputy who have been appointed Inspectors under Section 14 of the Payment of Wages Act, 1936, any formal action under the Act has therefore necessarily to be taken by these two officers and the question of taking their prior sanction does not arise.

(b) In view of the reply to part (a), this does not arise.

* Legislative Assembly Debates (Central), Vol. IV of 1943, 17th November 1943, p. 414.

# 131

## * Operation of the Payment of Wages Act on East Indian Railway

238. **Nawab Siddique AH Khan** (on behalf of Qazi Muhammad Ahmad Kazmi): (a) Will the Honourable the Labour Member please state if it is or it is not a fact that lack of effective and proper supervision of the conduct of the Payment of wages Act is responsible for such frequent contravention of the Payment of Wages Act on the East Indian Railway ?

(b) Do Government propose to consider the advisability of making changes in the existing machinery with a view to affording proper and effective check on such contraventions of the Payment of wages Act by the Railway officers ?

**The Honourable Dr. B. R. Ambedkar :** (a) What the Honourable Member suggests is not a fact. The very fact that such a large number of irregularities are brought to light every year and rectified at the instance of the Supervisor of Railway Labour proves the effectiveness of the Machinery which now exists for this purpose.

(b) Does not arise.

# 132

## @ Representation from Mr. V. G. Balwaik *re* War Bonus to Workers

239. **Mr. Govind V. Deshmukh :** Will the Honourable Member for Labour please state :

(a) if he has received a representation from Mr. V. G. Balwaik, President, Central Provinces and Berar Provincial Workers' Federation, Nagpur, in the month of October, 1943, in connection with war bonus to workers ;

(b) if Government have arrived at any decision regarding the condition attached to the additional war bonus by the Empress and Model mills, viz., the Government of India to decide whether more

* Legislative Assembly Debates (Central), Vol. IV of 1943, 17th November 1943, pp. 414-15.

@ *Ibid., p. 415.*

than two months' wages as war bonus can be treated as expenditure on which the company will have to pay no tax ; if so, what their decision is; and

(c) if he is aware of the decision of the Working Committee of the Central Provinces and Berar Textile Workers' Federation to go on strike from the 15th November, 1943, if the mill-owners in the Province will not pay this additional or second instalment of the war bonus by the 14th November 1943 ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) No. The general question of limitation of bonuses admissible as revenue expenditure is under consideration and it will not be expedient to give further details at the present stage.

(c) Yes.

**Mr. Govind V. Deshmukh :** May I know the reasons why it would not be possible to arrive at a conclusion at an earlier date and give details ?

**The Honourable Dr. B. R. Ambedkar :** We are doing our best to arrive at a conclusion as early as possible.

**Mr. Govind V. Deshmukh :** What time it will take, because the withdrawal of the strike has been made under my instructions that the Government of India will decide this question and the strike had better be postponed ?

**The Honourable Dr. B. R. Ambedkar :** I am unable to give any detail.

**Mr. N. M. Joshi :** May I ask whether the Government of India is aware that there is very great discontent among the textile workers of Central Provinces on account of the fact that the Government of India have not decided this question early ?

**The Honourable Dr. B. R. Ambedkar :** I have no information on the point.

# 133

## * Students Admitted to Dhanbad School of Mines

242. **Maulvi Muhammad Abdul Ghani :** Will the Honourable the Labour Member please state :

(a) the number of students admitted to the Dhanbad School of Mines, and the number of Muslims therein during 1941, 1942 and 943 ;

* Legislative Assembly Debates (Central), Vol. IV of 1943, 17th November 1943, p. 416.

(b) whether any quota is fixed for the admission of Muslims ; and

(c) the total number of Muslims who applied for admission during the last three years ?

**The Honourable Dr. B. R. Ambedkar :** (a) 24 students were admitted during each of the years 1941, 1942 and 1943. No Muslim student was admitted in 1941 and 1942. In 1943 two were admitted but one did not join the School.

(b) No; and

(c) 34.

**Dr. Sir Zia Uddin Ahmad :** What is the reason for the non-admission of Muslim students ?

**The Honourable Dr. B. R. Ambedkar :** That is because they do not qualify themselves at the entrance examination.

**Dr. Sir Zia Uddin Ahmad :** As for academic qualifications I can prove that there are any number of Muslims who are fit to join that institution. But is it not a fact that scholarships are not given to Muslims ?

**The Honourable Dr. B. R. Ambedkar :** I cannot say ; I shall want notice of that.

**Maulvi Muhammad Abdul Ghani :** Is it a fact that last year qualified Muslims applied but they were rejected outright ?

**The Honourable Dr. B. R. Ambedkar :** No. If I may explain to the Honourable member, the method of admission to the school is that first of all 50 per cent. of the places are filled as a result of an entrance examination which is open to all students. After that a certain quota is filled for the purpose of representing each province according to a quota that has been fixed. After that the balance of students is taken purely on the basis of merit. At this school there is no reservation with regard to any particular community at all.

# 134

## * Drop in the Output of Coal

250. **K. C. Neogy :** (a) Will the Honourable the Labour Member be pleased to refer to his statement in reply to starred question No. 349, asked by me in the Legislative Assembly on the 20th March, 1943, to the effect that the drop in the production of coal was so slight that no detailed enquiry had been held into its cause, and state whether it is a fact that there has been a considerable drop in the output of coal both in British India and in the Indian States since January last ?

(b) If the answer to (a) be in the affirmative, is the Honourable Member in a position to indicate the extent of such drop, month by month, ever since it was noticed ?

(c) Was any warning given about the threatened coal shortage by any trade organisation or any individual member of the trade to the knowledge of Government ? If so, when did such warning come to the knowledge of Government for the first time, and what steps, if any, were taken thereupon ?

**The Honourable Dr. B. R. Ambedkar :** (a) Compared with the corresponding month of last year, the output of coal in British India and Indian States has shown a decrease during 1943. During the first 5 months of the year the drop was slight; but from June onwards it has become more considerable.

(b) 1940 was the peak year for coal production. Since then production has fallen slightly year by year. The fall assumed serious proportion from June 1943. Compared with the corresponding months of 1942, the output in June, July and August of this year fell by about 353,000 tons each month, while September showed a decrease of 299,000 tons.

(c) A warning was given by an individual member of the trade in August 1943. Government were already well aware of the situation by that time and were actively considering remedial measures. The following are some of the principal steps that have been taken to improve the situation.

* Legislative Assembly Debates (Central), Vol. IV of 1943, 17th November 1943, pp. 421-22.

(1) More wagons have been provided to take away coal, particularly in the Bengal and Bihar fields.

(2) Efforts are being made to ensure the prompter delivery of colliery stores and machinery.

(3) Women have, since August, been permitted to work underground in the Central Provinces and Berar coalfields.

(4) Action has been taken to prevent interference with colliery labour from military activities in the coal fields.

(5) Schemes are under preparation to provide a greater quantity of consumer goods for collieries and in particular of food, and arrangements are being made to ensure an adequate ration at concession rates to the miners.

(6) Welfare officers are about to be appointed in the Bengal and Bihar coalfields to promote the health and general welfare of miners.

**Mr. K. C. Neogy :** Is the Honourable Member in a position to indicate the principal factors that contributed to this coal shortage ?

**The Honourable Dr. B. R. Ambedkar :** Sir, the principal factor that contributed to the shortage of coal is undoubtedly the shortage of labour. That was due to the fact that labour was drawn away from coal fields by the 'Grow More Food' campaign and by the military works that were started near about the area where the coal mines are situated.

# 135

## * The Coal Trade Conference at Delhi

251. **K. C. Neogy :** (a) Will the Honourable the Labour Member be pleased to state whether the principal object of the Conference of representatives of coal trade and other interests, that was held in Delhi on the 23rd October last under his chairmanship, was to consider the question of increasing the output of coal ? If so, what were the circumstances that led to the decision to hold the conference, and the result of the discussions thereat ?

* Legislative Assembly Debates (Central), Vol. IV of 1943, 17th November 1943, pp. 422-23.

(b)Has the present effort to increase the output of coal been influenced in any degree by the necessity of stimulating an increased export of coal from India for war purposes or otherwise ?

(c) Is it a fact that in a letter issued by the department of Labour to the invitees at the Conference, mention was made of the persistent and increasing fall in the output of coal coupled with the increasing demand for Indian coal, both inside and outside India, which was stated to have caused the Central Government acute anxiety ? When was such anxiety first caused to the Government of India and due to what circumstances, and what action has been taken ever since for the purpose of improving the situation, and with what result ?

(d) Is the internal supply of coal in the country likely to be affected in any manner by any policy that Government may have in view with the object of stimulating the export of coal on Government or private account?

**The Honourable Dr. B. R. Ambedkar** : (a) Yes, Government believed that one of the principal reasons for the decline in output was shortage of labour. If this shortage could be made good, the fall in production would be arrested and an increase to the target figures would become probable. Government were anxious to secure the full co-operation of employers in any measures they proposed for this purpose. The principal result of the discussions was an agreement that in Bengal and Bihar the Employers' Associations should initiate schemes on uniform lines for the supply of foodgrains and other commodities to their labour and the Government of India should assist the Associations in giving effect to such schemes.

(*b*) An increase in output of coal is necessary to meet the internal requirements of Indian industry as these have increased and output has diminished.

(*c*) Yes. Since the beginning of the War, Government have been anxious to maintain the output of coal at its maximum. The peak year for coal production was 1940. There was a very slight fall in 1941 on the 1940 figures and a further slight drop in 1942. It seems more than likely that the 1943 figures will show a further drop on the 1942 figures.

From about June of this year, it became plain that output was not going to be sufficient to meet the increased demands for coal being made by essential consumers such as War Industries, railways and for military projects of the first importance. Supplies of coal for all consumers have accordingly been rationed. In order to meet these rationed demands, and such outside demands as it might feel necessary to meet, Government have to ensure that 25.65 million tons of coal per annum will be made available for consumption. This is a larger quantity than has ever been made available before; and measures to increase production have, therefore, become of the utmost urgency.

As regards the action that has been taken to improve the situation, the Honourable Member is referred to the answer given to part (c) of his starred question No. 15. It is too early yet to assess the results of these and other measures.

(d) No.

**Mr. Govind V. Deshmukh :** Is it a fact that in order to increase the output of coal production, female labour has been employed underground in coal mines ?

**The Honourable Dr. B. R. Ambedkar :** I said so.

**Mr. Govind V. Deshmukh** : If it is so, will the Honourable Member say how long female labour will be employed in these mines ?

**The Honourable Dr. B. R. Ambedkar:** Well, while the emergency lasts.

**Mr. Govind V. Deshmukh :** Will the Honourable Member tell me what precautions have been taken to look after these female labour employed underground in the mines ?

The Honourable Dr. B. R. Ambedkar : We are contemplating measures and if my honourable friend will table a question some time in the next Session, I will give him some information.

Mr. K. C. Neogy: Has there been any suggestion from His Majesty's Government for the purpose of stimulating export of coal?

The Honourable Dr. B. R. Ambedkar : I have no information on the point.

Mr. President (The Honourable Sir Abdur Rahim) : Next question.

# 136

## * Appointments of Managers of Government of India Presses, New Delhi and Calcutta

253. **H. A. Sathar H. Essak Sait**: Will the Honourable Member for Labour be pleased to state :

(a) whether he is aware that for the recent appointment of Managers of the Government of India Presses, New Delhi and Calcutta, the claims of the senior-most Muslim assistant Managers were overlooked ; if so, the reason therefor;

(b) whether it is a fact that the Manager of the Government of India Press, New Delhi, refused to relieve a Muslim clerk recently selected for a clerical job in the office of the controller of Printing and Stationery, while he relieved a number of non-Muslim clerks selected for clerical posts in the Controller's Office, Assembly Department and Supply Department;

(c) whether it is a fact that the Assistant Manager of the Government of India Press, New Delhi, ordered the transfer of six Muslim piece-composition of the Lino Section ; if so, the reasons for such wholesale transfer of Muslims from this Section ;

(d) whether it is a fact that the post of a correction checker in the Government of India Press, New Delhi, was recently filled by the officiating Manager by the appointment of a junior new-scale man, overlooking the claims of the senior incumbent in the old scale ; if so, why;

(e) whether the Managers and Assistant Managers of Government Presses are empowered to make appointments and promotions and order transfers and declare certain posts selection posts ; if so, whether any rules have been laid down for their guidance in these matters;

(f) whether the Honourable Member proposes to institute an enquiry to find out whether these rules are strictly observed by these officers in all cases ; and

(g) inviewofthefrequentandincreasingcomplaintsaboutarbitrary and unjust actions in these matters by the authorities of the

*Legislative Assembly Debates (Central), Vol. IV of 1943, 17th November 1943, pp. 424-25.

Government of India Presses, whether the Honourable Member proposes to consider the advisability of constituting an independent committee with powers mentioned in (e) above ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(*b*) No.

(*c*) Yes. This was done in the normal course of sectional interchange which takes place every 3 months to allow each worker periods of easy and strenuous work. Three non-Muslim piece compositors were also transferred along with the Muslims and 2 Muslim piece compositors brought on to the Lino Section.

(*d*) Yes. The post of Correction Checker being a selection post, the best man available was selected on merit.

(*e*) Managers of the Government of India Presses are empowered to appoint and promote men to certain classes of posts in accordance with the rules laid down in the Departmental Handbook. They are not competent to declare any post as selection post.

(*f*) and (g). No specific irregularities of the nature mentioned above have so far occurred necessitating the action suggested.

**Mr. H. A. Sathar II. Essak Sait:** With reference to part (d) my Honourable friend admitted that the claims of a Muslim were overlooked for certain reasons. Is he aware that the Muslim whose claims were overlooked had worked for 22 years ?

**The Honourable Dr. B. R. Ambedkar :** I am prepared to accept that from my Honourable friend, although I have no information.

**Mr. H. A. Sathar H. Essak Sait :** Then he said that the answers to (a) and (b) were in the negative. Will he take it from me that with regard to (a) the appointments have been made this year.

**The Honourable Dr. B. R. Ambedkar :** I must have notice of that.

# 137

## * Trade Unions Supplied with Government Publications, etc.

35. Mr. Muhammad Azhar Ali : Will the Honourable Member for Labour please state:

(*a*) the names of the Trade Unions, both registered and unregistered, separately, whose objects arc not confined to one province ;

* Legislative Assembly Debates (Central), Vol. IV of 1943, 17th November 1943, pp. 438-40.

(*b*) the names of the Trade Unions, both registered and unregistered, separately, who are supplied official publications free of cost;

(*c*) the names of the Trade Unions, both registered and unregistered separately, who were invited to take part in the Tripartite Labour Conference and Committees ; and

(d) the reasons for the differential treatment, if any, in the subject matters referred to in parts (b) and (c) ?

**The Honourable Dr. B. R. Ambedkar :** (a) A list of registered trade unions, whose objects arc not confined to one province, compiled from materials readily available is attached. Particulars regarding unregistered trade unions are not available.

(*b*) I presume the Honourable Member is referring only to unions whose objects are not confined to one province.

Copies of certain bulletins, annual reports, etc., have been furnished free of cost, on request, to the two All-India Associations of workers, namely the All-India Trade Union Congress and the Indian Federation of Labour. No official publication is supplied free of cost to any individual trade union as such.

(*c*) The constitution of the Tripartite Labour Conference and the Standing Labour Committee provides for the nomination of workers' representatives in the following manner:

(i) For the Labour Conference—

11 representatives of employees, of whom 4 will be nominated by Government in agreement with the All-India Trade Union Congress, 4 will be nominated by Government in agreement with the Indian Federation of Labour, and 3 will be nominated by Government as representatives of other employees interests.

(ii) For the Standing Labour Committee—

5 representatives of employees, 4 of whom will be nominated by the Labour Member in agreement with the two All-India Associations of workers and the fifth nominated independently by the Labour Member.

The nominations to the Conference and the Committees have been in accordance with their constitution and there has been no question of any differential treatment between different unions.

(*d*) It will be clear from the replies to (b) and (c) that no differential treatment has in fact occurred.

**Central Trade Union registered in the various Provinces**

*Printing Presses—*

1. Government of India Press Workers Union.

*Seamen—*

2. Indian Merchants Navy Officers Asssociation, Bombay.

*Miscellaneous—*

3. The All-India Telegraph Line Staff Union, Lahore.
4. The Indian Sugar Industry Employees Association, Lucknow.
5. Indian Sugar Mills Association, Calcutta.
6. Indian Jute Mills Association, Calcutta.
7. Imperial Bank of India, Indian Staff Association, Calcutta.
8. Central Council of Tobacco Manufacturing Workers Union.
9. All-India Telegraph Workmen's Union, Lahore.
10. The Indian Southern Provinces Sugar Marketing Board, Madras.

*Railway and Transport—*

11. N. W. Rly. Junior Clerks Association.
12. Bengal Assam Rail Road Workers' Union.
13. Assam Bengal Rly. Employees Association.
14. E. I. Railway Employees Association, Calcutta.
15. Bengal and Assam Railway Employees Association.
16. B. N. R. Employees Union, Calcutta.
17. B. N. Rly. Indian Labour Union, Kharagpur.
18. N. W. Rly. Employees Union, Karachi.
19. G. I. P. Railwaymen's Union, Bombay.
20. G. I. P. Railway Accounts Staff Union, Bombay.
21. B. B. & C. I. Railway Employees Association, Ahmedabad.
22. B. B. & C. I. Railwaymen's Union, Bombay.
23. National Union of Railwaymen of India & Burma, Bombay.
24. B. B. & C. I. Railway Employees Union, Bombay.

25. G. I. P. Railway Contractors & Licenced Coolies Union, Bhusawal.
26. N. W. Railway Accounts Union, Lahore.
27. N. W. Railway Union, Lahore.
28. E. I. Railwaymen's Union, Lucknow.
29. Railway Workers Association, Moradabad.
30. E. I. Railway Guards' Association, Lucknow.
31. Railway Workmen's Union of India, Allahabad.
32. B. N. Railwaymen's Association, Gorakhpur.
33. E. B. Railway Workers' Union.
34. Association of Accountants, E. I. Railway.
35. Association of Accountants, N. W. Railway, Lahore.
36. All-India Railway Mechanical Workers' Federal Union, Lahore.
37. Delhi Sonipat Bus Service Union, Sonipat.
38. Ittehad Motor Union, Panipat.
39. N. W. Railway Guards Association, Lahore.
40. Federated Union of the N. W. Railway Workers, Lahore.
41. Union of the E. I. Railway Ticket Checking staff, Calcutta.
42. E. I. Railway Joint Hands Union, Hooghly.
43. All-India Railwaymen's Union, Nagpur.
44. United Union of N. W. R. Workers, Lahore.
45. Delhi-Garmuktesar Motor Association.
46. East Indian Railway Muslim Employees Association, Lucknow.
47. S. S. Light Railway Employees Union, Saharanpur.
48. B. N. W. Railway Workers Association, Gorakhpur.
49. E. I. Railway Workers Association, Calcutta.
50. The Madras and Southern Mahratta Railway Employees' Union, Perambur, Madras.
51. The South Indian Railway Labour Union, Golden Rock, Trichinopoly.
52. The South Indian Railway Employees Association, Villupuram.
53. The All-India Railwaymen's Federation, Mylapore, Madras.

# 138

## * Communal Composition in the Office of the Conciliation Officer (Railways) and Supervisor of Railway Labour

**1. Mr. Muhammad Hussain Choudhury** : Will the Honourable Member for Labour be pleased to state :

(*a*) how many office clerks there are in the office of the Conciliation Officer (Railways) and Supervisor of Railway labour ;

(*b*) how many Inspectors of Railway Labour have been appointed temporarily or permanently from December, 1942, upto the second week of February, 1944; and

(*c*) out of these appointments, how many were recruited from—

(i) depressed classes,

(ii) caste Hindus,

(iii) Muslims, and

(iv) members of other communities ?

**The Honourable Dr. B. R. Ambedkar** : (a) Eleven including **a** Stenographer.

(*b*) Five temporary Inspectors only have been appointed from December, 1942, upto January, 1944.

(*c*) (i) Three.

(ii) and (iv) None, (iii) Two.

# 139

## @ Muslim Inspectors of Railway Labour

**2. Mr. Muhammad Hussain Choudhury** : (a) Will the Honourable the Labour Member please state the number of persons who served temporarily as Inspectors of Railway Labour and who were trained hands at the time of the first appointment of Mr. Jadhav, Conciliation Officer (Railways) ?

* Legislative Assembly Debates (Central), Vol. I of 1944, 7th February 1944, pp. 24-25. @ *Ibid., p.* 25.

(*b*) How many of these Inspectors were Muslims, and how many of the Muslims who had served temporarily as Inspectors were given chance of appointment to permanent or quasi-permanent vacancies ?

**The Honourable Dr. B. R. Ambedkar :** (a) Two.

(*b*) Both were Muslims. One has secured appointment elsewhere and the other at present officiating as an Inspector of Railway Labour.

# 140

## * Depressed Class Appointments of Inspectors of Railway Labour

3. **Mr. Muhammad Hussain Choudhury :** (a) Will the Honourable the Labour Member please stale if it is true that five Inspectors of Railway labour posted respectively at Dacca, Tatanagar, Ajmcr, Asansol and Jalpainguri went on deputation to the Central Civil Supplies Department or as Civilian Labour Welfare Officers, in the military Department ?

(b) Is it true that all these five long standing officiating vacancies which will continue up to the duration of the War, were filled up by five depressed class Hindu Inspectors who have been appointed arbitrarily by the Conciliation Officer (Railways) and Supervisor of Railway Labour, superseding the claims of two Muslims who have served temporarily for more than six months and who arc trained hands ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes, but all deputations were not to the Civil Supplies Department or as Civilian Labour Welfare Officers.

(b) No, as will be clear from the reply to part (c) of question No. 1 of the same member.

# 141

## @ Depressed Class Appointments of Inspectors of Railway Labour

4. **Mr. Muhammad Hussain Choudhury :** Will the Honourable the Labour Member please state if it is a fact that five long standing

* Legislative Assembly Debates (Central), Vol. I of 1944, 7th February 1944, p. 25.

@ *Ibid. p.* 25.

officiating vacancies of Inspectors of Railways labour occurred because of the deputation of two Muslims, viz., Mr. A. Hamid and Mr. A. Karim, one Sikh, Mr. T. Singh, and two caste Hindus ?

**The Honourable Dr. B. R. Ambedkar** : It is true that the vacancies arose because of the deputations.

# 142

## * Depressed Class Appointments of Inspectors of Railway Labour

**5. Mr. Muhammad Hussain Choudhury :** Will the Honourable the Labour Member please state if it is a fact that five depressed class appointments of Inspectors of Railway Labour were made without any advertisement and without selection by the Selection Board ?

**The Honourable Dr. B. R. Ambedkar** : No. Only three Scheduled Class candidates were appointed. Recruitment was not made by advertisement or by a Selection Board.

# 143

## @ Depressed Class Appointments of Inspectors of Railway Labour

**6. Mr. Muhammad Hussain Choudhury** : (a) Will the Honourable the Labour Member please state if the Conciliation Officer (Railways) and Supervisor of Railway Labour was justified in appointment of all the five new depressed class Inspectors without any selection ? Are they from amongst relatives of his own province of Bombay ?

(*b*) Was the Conciliation Officer (Railways) and Supervisor of Railway Labour justified in appointing his relations and his own community people as clerks and Inspectors ? Is the Honourable Member aware that there were qualified depressed class candidates from other provinces also ?

* Legislative Assembly Debates (Central), Vol. I of 1944, 7th February 1944, p. 25.
@ *Ibid.,* pp. 25-26.

(*c*) Why did not consider the claims of those who once served creditably in officiating vacancies as Inspectors ?

(d) Why did the Supervisor of Railway Labour appoint Inspectors without consulting the Selection Board ?

**The Honourable Dr. B. R. Ambedkar** : (a), (c) and (d). **I** would refer to my reply to the previous question. The candidates appointed are not related to the Conciliation Officer (Railways) and Supervisor of Railway Labour.

(b) I have given the information relating to Inspectors. As regards clerks out of eleven only one belongs to the Scheduled Caste whom the present Conciliation Officer (Railways) has appointed.

# 144

## *Depressed Class Appointments of Inspectors of Railway Labour

7. **Mr. Muhammad Hussain Choudhury** : Is the Honourable Member for Labour prepared to consider the desirability of filling up the five vacancies of Inspectors of Railway Labour by forming a Selection Board so that the legitimate claims of all communities may not be jeopardized ?

**The Honourable Dr. B. R. Ambedkar** : The question of filling of vacancies in the grade of Inspectors is under examination of Government.

# 145

## @ Bengalee Inspectors in the Office of the Conciliation Officer (Railways) and Supervisor of Railway Labour

8. **Mr. Muhammad Hussain Choudhury** : (a) Will the Honourable Member for Labour please state how many Bengalee Inspectors there are in the office of the Conciliation Officer (Railways) and

* Legislative Assembly Debates (Central), Vol. I of 1944, 7th February 1944, p. 26.
@ *Ibid.* p. 26.

Supervisor of Railway Labour ? If there is only one Bengalee, why are not more Bengalees appointed ?

(*b*) Is it not a fact that there arc sufficient number of qualified Bengalees, both amongst Hindus and Muslims, who are awaiting chances ?

**The Honourable Dr. B. R. Ambedkar** : (a) Two.

(*b*) There may be sufficient and suitable Bengalees available for appointment but the presumption behind the question that the appointments arc made with any reference to the province of a candidate is not correct.

# 146

## * Qualifications of Mr. D. G. Jadhav, Conciliation Officer (Railways) and Supervisor of Railway Labour

**9. Mr. Muhammad Hussain Choudhury** : (a) Will the Honourable the Labour Member state if it is true that Mr. D. G. Jadhav is at present the Conciliation Officer (Railways) and Supervisor of Railway Labour, Government of India ? If so, what are his qualifications ? Was he in Government service or in Railway service before ?

(b) Will the Honourable Member please state if it is a fact that Mr. Adur Rahman Puri, the Head Clerk of the Office of the Conciliation Officer (Railways) and Supervisor of Railway Labour has been degraded to the post of an Inspector ? If so, what are the reasons ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes. Mr. D. G. Jadhav at present holds the post. Mr. Jadhav was an elected member of the Bombay Legislative Assembly prior to his present appointment. Besides being an elected member of the Backward Class Board, Bombay, he had served on many Select Committees, Development Boards, Advisory Committees and was an arbitrator of Co-operative Societies in the District of East Khandcsh. He is a B.A., L.L.B., having graduated in 1934 and taken his law degree in 1940. He has not been in Government or Railway Service before.

* Legislative Assembly Debates (Central), Vol. I of 1944, 7th February 1944, p. 26.

(b) The Honourable Member is presumably referring to Mr. Abdul Hamid Puri. He is reverted to his substantive post of an Inspector on expiry of his tenure of appointment as Head Clerk.

# 147

## * Conciliation Officers (Railways) and Supervisors of Railway Labour

10. **Mr. Muhammad Hussain Choudhury** : (a) Will the Honourable Member for Labour be pleased to state who were the Conciliation Officers (Railways) and Supervisors of Railway labour since its creation ?

(b) Does he consider it desirable to post an I.C.S. Officer or otherwise an experienced officer as Conciliation Officer (Railways) and Supervisor of Railway Labour ?

**The Honourable Dr. B. R. Ambedkar** : (a) The combined post of Conciliation Officer (Railways) and Supervisor of Railway Labour was held only by Mr. Khaleeli, I.C.S., before Mr. Jhadev was appointed to it.

(b) I do not consider it necessary that the post should be held only by an I.C.S. Officer or some other person who has had experience as an Officer of Government.

# 148

## @ Output, etc. of Coal in British India and the States

19. **Mr. K. C. Neogy :** Will the Honourable the Labour Member be pleased to state :

(a) the output of coal in British India and in the States, separately, for the years 1941, 1942 and 1943 ;

(b) the stocks of coal in British India and in the States as on the 31st December of 1941, 1942 and 1943, and

* Legislative Assembly Debates (Central), Vol. 1 of 1944, 7th February 1944, pp. 26-27.

@ *Ibid.,* pp. 37-38.

(c) the despatches of coal, including the colliery consumption, from collieries in British India and in the States during the years 1941, 1942 and 1943 ?

**The Honourable Dr. B. R. Ambedkar** : (a) The output of coal in British India and the States during 1941 and 1942 was :

| | | 1941 | 1942 |
|---|---|---|---|
| British India | ... | 26,088,600 | 25,949,800 |
| States | ... | 3,260,400 | 3,385,100 |

(b) Stocks of coal in British India on the 31st December 1941, were 2,767,500 tons. Stocks on 31st December 1942, were estimated by the C.I.M. to have been 2,521,600 tons. The figures reported by collieries were found to be greatly exaggerated when they were checked by the C.I.M. Stock figures of States are not available.

(c) The despatches of coal including the colliery consumption from collieries in British India during the years 1941 and 1942 were 24,257,700 tons and 22,695,800 tons respectively. The despatches of coal excluding colliery consumption from collieries in the States during 1941 and 1942 were 3,243,200 tons and 3,370,500 tons, respectively. Figures of colliery consumption in the States are not available.

It is not in the public interest to disclose figures for 1943 at present.

# 149

## * Coal Position

20. **Mr. K. C. Neogy :** (a) Will the Honourable the Labour Member please state to what extent the present output of coal is below the requirements of the country ?

(b) Is it a fact that recently the Department of the Chief Inspector of Mines measured the stocks of the different collieries as reported to him by the respective collieries, and found a large shortage ? If so, what was the quantity of shortage, and how was it explained ?

**The Honourable Dr. B. R. Ambedkar :** (a) It is not in the public interest to disclose to what extent the present output of coal is below the requirements of the country.

* Legislative Assembly Debates (Central), Vol. I, 7th February 1944, p. 38.

(b) Coal Stocks were checked at the end of May 1943, and a shortage of over 2 million tons was found. During 1942 a number of collieries had given fictitious figures of raising probably in order to obtain a better wagon allotment. Proceedings have been taken against a number of collieries for submitting incorrect returns. Periodical checks are now made.

# 150

## * The Coal Mines Safety (Stowing) Amendment Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I beg to move for leave to introduce a Bill further to amend the Coal Mines Safety (Stowing) Act, 1939.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

> "That leave be granted to introduce a Bill further to amend the Coal Mines Safety (Stowing) Act, 1939."

**The Honourable Dr. B. R. Ambedkar** : Sir, I introduce the Bill.

# 151

## @ Lifting of Ban on Employment of Women on Underground Work in Coal Mines

**Mr. President** (The Honourable Sir Abdur Rahim): The next motion is in the name of Mrs. Renuka Ray. She wishes to discuss the question of permission given to women to work underground in the coal mines at Jharia and other neighbouring areas.

**The Honourable Dr. B. R. Ambedkar** (Labour Member): The only point I would like to submit is that the matter which is sought to be raised on this adjournment motion cannot be said to be a matter of recent occurrence. The original notifications under which the prohibitions were lifted are two; one is dated the 2nd August 1943, and the

* Legislative Assembly Debates (Central), Vol. I of 1944, 7th February 1944, p. 55.
@ *Ibid.* p. 93.

other is dated the 18lh August 1943. The notification dated the 24th November 1943, is merely a continuation of the notifications to which I have already referred and which are dated August 1943. There has been a Session of the Legislature after the August notifications were issued.

**Mr. President** (The Honourable Sir Abdur Rahim) : What was the notification ? Permitting women to work underground ?

**The Honourable Dr. B. R. Ambedkar** : Yes. I would also like to say that I do not wish to take my stand on these formal objections to the motion, and if the House desires to have this matter discussed I am prepared to give in.

**Mr. N. M. Joshi** (Nominated Non-Official): May I say a word on this point ? Although the Government of India may have issued their notifications before the last Session of the Assembly, actual effect was given to them in the most important coal mining areas only recently. I therefore feel that the subject is of importance and of recent occurrence.

**Mr. President** (The Honourable Sir Abdur Rahim) : The notifications of August did not refer to Jharia and other neighbouring areas ?

**Mr. N. M. Joshi :** No.

**Mr. President** (The Honourable Sir Abdur Rahim) : Were these areas excluded from the notifications?

**The Honourable Dr. B. R. Ambedkar** : No. We have proceeded stage by stage. The first intention of the Government of India to lift this prohibition was dated the 2nd August 1943. That applied to C. P. and Berar mines.

**Mrs. Renuka Ray** (Nominated Non-Official): May I point out that the notifications of the 2nd and 18th August 1943 were protested against, but Government took no notice of the protests. In any case I have only brought up Jharia and other neighbouring areas and notifications relating to them came out after the last Session of the legislature.

**Mr. President-**(The Honourable Sir Abdur Rahim) : That being so and as the Honourable Member in charge has no objection to the motion being discussed, the motion will be taken up at 4 o'clock.

# 152

## * Conservation of Coal in India

80. **Mr. K. C. Neogy** : (a) Has the attention of the Honourable Member for Labour been drawn to the observations on the question of conservation of coal in India made by Dr. H. K. Sen, Director, Indian Lac Research Institute, Namkum, Ranchi, and Chairman of the Fuel Research Committee of the Board of Scientific and Industrial Research, in the course of certain lectures delivered in December, 1943, at the Patna University ?

(b) Is it a fact that this question has from time to time been raised for the consideration of Government by different experts ? If so, what action has so far been taken by Government in this matter ?

(c) To what extent and in what manner has the larger utilisation of low grade coal, particularly on the part of the Railways, as suggested by Dr. Sen in his aforesaid lectures, been carried out or is proposed to be carried out in future.

(d) Are these questions being taken up for immediate consideration in view particularly of difficulties of the present coal position in the country ?

**The Honourable Dr. B. R. Ambedkar**: (a) No.

(b) Yes.

(i) In 1939 the Government of India passed the Coal Mines Stowing Act. The Slowing Board has, by assistance given to voluntary stowing achieved considerable success in the conservation of high quality coal.

(ii) Under certain regulations under the Indian Coal Mines Regulations passed in 1939 restrictions were imposed on the dimension of workings which, apart from their safety value, have led to the conservation of coal.

(*c*) Expert Combustion Engineers have been attached to the office of the Controller of Coal Distribution, one of whose duties will be to ensure that industries that can consume a lower grade of coal are not supplied with a higher grade. The assistance of Provincial Governments has been invited in conducting a survey of coal consuming factories

* Legislative Assembly Debates (Central). Vol. I of 1944, 10th February 1944, pp. 203-4.

through the agency of Boiler Inspectors in consultation with Combustion Engineers. Government attach importance to a vigorous fuel economy campaign and this is already receiving the attention of the Coal Commissioner. Low grade coal is supplied to the maximum extent possible for the various services against Railway demands.

(d) These questions are constantly under the attention of Government.

**Mr. K. C. Neogy :** I think the Honourable Member said that his attention has not been drawn to the observations to which I refer.

**The Honourable Dr. B. R. Ambedkar** : My attention has not been drawn to the lectures to which the Honourable Member refers.

**Mr. K. C. Neogy** : But they were reported in the press.

**The Honourable Dr. B. R. Ambedkar**: They might have been.

**Mr. K. C. Neogy**: But is it not expected that the Honourable Member should take some notice of such important observations ?

**The Honourable Dr. B. R. Ambedkar** : Not everything that appears in newspapers.

**Mr. K. C. Neogy**: But the gentleman holds rather a responsible position.

**The Honourable Dr. B. R. Ambedkar**: **I** would like the Honourable Member to send me a copy. I have not seen it.

**Mr. K. C. Neogy** : That is rather a pity. May I know whether in connection with the present coal drive he will see to it that as much as possible, and as high a proportion as possible, of the low grade coal is utilised for the purpose ?

**The Honourable Dr. B. R. Ambedkar** : **I** have already said that Government have undertaken measures in that direction.

**Mr. K. C. Neogy** : I was wanting the Honourable Member's assurance in connection with the present coal drive.

**The Honourable Dr. B. R. Ambedkar** : Certainly.

**Mr. Hooseinbhoy A. Lalljee** : May **I** ask how many experts have been employed.

**The Honourable Dr. B. R. Ambedkar** : **I must** have notice of that question.

# 153

## * Coal Position

82. **Sir F. E. James** : Will the Honourable Member for Labour be pleased to state:

(a) the latest position regarding coal production in India, and whether there has been any increase or reduction in raisings since the 1st December 1943; and, if so, to what extent;

(b) If he is aware that a number of colliery are not working at all or not working to full capacity;

(c) what steps, with a special reference to the provision of labour, foodgrains, mechanisation and taxation adjustments;

(d) what steps are being taken;

(i) to deal with recalcitrant colliery owners who are deliberately refraining from producing the maximum possible; and

(ii) to ensure the efficient distribution of coal, and to prevent its going into the black market, and

(e) whether Railway collieries are working to full capacity; and if not, why not ?

**The Honourable Dr. B. R. Ambedkar** : (a) Coal production has recently shown some improvement. Raisings in December 1943, showed an increase of over 20 per cent over November. January figures are not yet available; but it is believed that there has been a still further increase.

(b) Government are not aware of any mines which can be safely and economically worked and which have been closed down. A number of mines have not been able to work to full capacity due to shortage of labour or machinery or to their workings having become flooded during the last monsoon.

(c)(i) A Government labour force up to 10,000 men is being established in the Bengal and Bihar coalfields initially for work on quarrying or loading coal. It is hoped that after some experience it will work underground. The first 1,000 men have already arrived. A force of 1,000 men have also been provided temporarily by the military for coal loading. Government labour has also been provided for railway

* Legislative Assembly Debates (Central), Vol. I of 1944, 10th February 1944, pp. 205-7.

collieries and for the Singareni collieries in Hyderabad. Steps are also being taken to prevent colliery workers being employed on other works in the coalfields.

(ii) The mining associations have agreed to provide foodgrains to their labour at the rate of 6 seers to the rupee. The Government of India are arranging with Provincial Governments to provide foodgrains for miners and their dependants in certain quantities. In addition, wages together with dearness allowance have been raised to 50 per cent above their 1939 level. Further, the Government of India are encouraging all collieries to introduce a production bonus based either on attendance or on out-put, and it is understood that many collieries have already introduced such a bonus.

(iii) Every effort is being made to obtain machinery from abroad. Government is prepared to allow depreciation both for Excess Profits Tax and Income-tax on new coal cutting machinery now to be purchased at an annual rate of 50 per cent on the written down value of such machinery. The trade have been asked whether they will accept these terms and if so, to send details of the machinery they require. Their reactions arc awaited.

(iv) A proposal to encourage production by granting bonuses on increased out-put free of Excess Profits Tax is under discussion with the trade.

(v) Steps are also being taken to provide consumer goods, standard cloth and medical stores in adequate quantities.

(d) (i) Government are not aware of any colliery owner who is deliberately refraining from producing the maximum possible. In order, however, to prevent any such possibility, a scheme is under consideration and is being discussed with the trade by the Coal Commissioner, whereby a target figure of production will be fixed for each colliery. It is proposed under the scheme that where a mine owner fails to produce the target tonnage, the Coal Commissioner will, unless he is satisfied that there is some good reason for such default, issue a formal warning to the mine owner that in the event of persistent default, Government will requisition his mines and may, if circumstances so require, acquire the mines outright.

(ii) The distribution of coal is made by the Controller of Coal Distribution working under the direction of the War Transport

Department in accordance with a rationing scheme approved by the War Resources Committee of Council. All coal despatches are made against licenses or priority certificates issued from the Controller of Coal Distribution's office. These are based on the quotas fixed for each industry within the general rationing instructions and in line with the recommendations made by the Departments concerned with the various industries. Detailed day-to-day instructions are issued to each colliery as to the consignee against whom they should load. The actual loading on the part of the collieries receives a check at the weighment depot stations. The returns compiled by the depot stations are further scrutinised by the allotment offices. Inspectors working under the Railways and the Controller's organisation make frequent checks of actual booking at stations of arrival and at destination stations to ensure that collieries have booked the wagons to the consignee for whom the wagon has been allotted in accordance with the priority certificate, and that at the destination stations the wagon is delivered to the proper consignee and not allowed to go into the open market. Several cases of coal having been sold in the black market have been detected and prosecutions have been launched.

(e) Every possible step is being taken to develop the capacity of the Railway collieries to their full extent as quickly as circumstances permit. Whilst considerable progress has been made I am not yet in a position to state that all Railway Collieries are being worked to their full capacity. Present difficulties are due to :

(i) shortage of labour,

(ii) unavoidable delay in the introduction of mechanical plant,

(iii) want of line capacity to move the increased output.

All these difficulties are expected to be overcome shortly.

**Sir Muhammad Yamin Khan :** In reply to part (b), the Honourable Member said about the collieries which are not working to full capacity. How many of them are represented by European companies ?

**The Honourable Dr. B. R. Ambedkar :** I am unable to give any answer to that at this stage. I do not think we can have any information as to which are not working to full capacity and which of them are European-owned and which Indian-owned.

**Sir Muhammad Yamin Khan :** Will the Honourable Member be pleased to make an inquiry and inform this House during this session before the Railway Budget comes in ?

**The Honourable Dr. B. R. Ambedkar**: I do not think I can undertake to make such an inquiry.

**Mr. K. C. Neogy** : Is the Honourable Member in a position to give the information asked for by Sir Muhammad Yamin Khan, not with reference to the nationality of the owning interest but as to whether all the collieries, big and small, are doing the work properly, and whether the Honourable Member's scheme is intended to apply to the smaller collieries as much as to the larger ?

**The Honourable Dr. B. R. Ambedkar** : It is intended to apply to all collieries and with regard to the first part of the question put by my Honourable friend all I can say is that I am prepared to undertake an inquiry which will help in producing more coal. I do not want to hold any assize enquiry over the coal mines.

**Mr. N. M. Joshi**: May I ask, whenever the Honourable Member makes a statement that the wages of the miners have been increased by 50 per cent, he will also state at the same time that the cost of living in the colliery areas has increased three times the pre-war cost of living index, in order to avoid misunderstanding regarding the statement which he makes ?

**The Honourable Dr. B. R. Ambedkar :** I believe that this is a direction to me and not a question.

**Nawabzada Muhammad Liaquat Ali Khan :** Is any quantity of coal exported from India ?

**The Honourable Dr. B. R. Ambedkar:** No, except to Ceylon.

**Mr. N. M. Joshi**: Is it a fact that the Honourable Member had stated that women miners are not compelled to go underground and if he has made such a statement, may I ask how he reconciles that fact with the statement which he has just now made that the Government of India are taking steps to refuse employment to miners elsewhere ?

**The Honourable Dr. B. R. Ambedkar :** I do not see any contradiction.

**Sir Muhammad Yamin Khan :** In reply to part(c) of the question about the taxation adjustment, the Honourable Member has not explained what was the demand of the colliery owners—whether they were unwilling to pay the E. P. T. and whether they have wanted exemption from the Payment of E. P. T. On what ground do they want to be exempted from E. P. T. ?

**The Honourable Dr. B. R. Ambedkar :** On the ground that coal was a wasting asset.

**Maulvi Muhammad Abdul Ghani:** May I know the quantity of coal exported to Ceylon ?

**The Honourable Dr. B. R. Ambedkar :** I must have notice of that question.

# 154

## * Publication of Certain Annual Reports Concerning Labour on Railways

43. **Mr. Lalchand Navalrai :** Will the Honourable Member for Labour be pleased to state if the following reports have since been issued ? If not, why not, and when are they likely to be issued ?

(i) Annual report on the working of the Payment of Wages Act, IV of 1936, by the Conciliation Officer (Railways) and Supervisor of Railway Labour, Calcutta; and

(ii) Annual report on the working of the Hours of Employment Regulations on the Indian Railways during the year 1941-42 ?

**The Honourable Dr. B. R. Ambedkar :** The last reports published were for the year 1940-41. Printing of future reports has been temporarily discontinued due to acute shortage of paper.

# 155

## @ The Coal Mines Safety (Stowing) Amendment Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member) **:** Mr. President, in view of the desire expressed by some Honourable Members of the House that they would like to have some more time to consider the Bill. I do not propose to make the motion for consideration of the Bill which is put down against my name.

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* Legislative Assembly Debates (Central), Vol. I of 1944, 10th February 1944, p. 210.
@*Ibid.,* p. 211.

# 156

## *Administrative Officers Promoted as Commissioned Officers in Civil Pioneer Force in Provinces

**111. Mr. G. Rangiah Naidu**: Will the Honourable the Labour Member please state:

(a) the number of Administrative Officers promoted as Commissioned Officers in the Civil Pioneer Force in various Provinces in 1941, 1942 and 1943; if not, why not;

(b) if there is any subsequent law passed to restrict the Civil Pioneer Force Officers to apply for Commissioned Officers' posts in the army;

(c) the number of Commissioned and Administrative Officers recruited from among the Hindus such as Non-Brahmins, Backward and Scheduled Communities, Christians, Mahomedans and Anglo-Indians;

(d) the rate of daily rations of the Pioneer and that of the Administrative Officers, separately; and

(e) how many clerks who were working in the Civil Pioneer Force Department, were promoted as Administrative Officers in 1941, 1942 and 1943; if not, why not?

**The Honourable Dr. B. R. Ambedkar** : (a), (c) and (c) With regard to these parts, three statements giving the required information separately are placed on the table of the House.

These refer to 1942 and 1943; the Civil Pioneer Force had not been raised in 1941.

(b) No, but if an officer undertakes service in the Civil Pioneer Force he is under an obligation to serve in the force so long as his services are required—*vide* Civil Pioneer Force Ordinance, Section 9. At present no officer can be released.

* Legislative Assembly Debates (Central), Vol. I of 1944, 16th February 1944, pp. 281-83.

(d) Prior to 1st March 1943, no free ration was admissible to Administrative Officers; since then the concession has been extended to them at the same rate allowed to Civil Pioneers, namely, at a cost of Rs. 15 per mensem per head. Of late owing to fluctuations in prices of foodstuffs it has not been possible to maintain the rate. The Provincial Government have, therefore, been authorised to purchase rations on the approved scale at a cost not greater than the prevailing market rates provided the purchase is made by the Provincial authorities themselves.

STATEMENT

**Part (a)**

| | | | | |
|---|---|---|---|---|
| Central Provinces and Berar | ... | ... | 1942<br>1943 | 5 |
| Orissa | ... | ... | 1942<br>1943 | 2 |
| Madras | ... | ... | 1942<br>1943 | 1 |
| Bombay | ... | ... | Nil | ... |
| Punjab | ... | ... | 1942 | ... |
| | | | 1943 | 3 |
| United Provinces | ... | ... | 1942 | |
| | | | 1943 | 1 |
| Bihar | ... | ... | 1942 | ... |
| | | | 1943 | 2 |
| Bengal | ... | ... | 1942 | 3 |
| | | | 1943 | 11 |
| North West Frontier Province | ... | ... | 1942 | 1 |
| | | | 1943 | 2 |
| | | Total | ... | 31 |

It should be noted that the two classes of Officers are of quite separate status. If a candidate is accepted as an Administrative Officer, the Provincial Governments are under no obligation to elevate him to Commissioned Officer grade. In certain cases, however, Administrative Officers, who have proved their worth, have been granted Commissions as 2nd Lieutenants when vacancies occurred.

## STATEMENT

### Part (c)

| Province | Non-Brahmins | Brahmins | Backward Classes | Scheduled Castes | Muslims | Christians | Anglo Indians |
|---|---|---|---|---|---|---|---|
| *C. P. and Berar :* | | | | | | | |
| Commissioned Officers | 5 | 4 | 1 | 2 | 3 | 1 | ... |
| Administrative Officers | 8 | 5 | ... | ... | ... | 1 | ... |
| *Orissa* : | | | | | | | |
| Commissioned Officers | 18 | 9 | 1 | ... | 4 | 2 | ... |
| Administrative Officers | ... | .... | .... | .... | .... | .... | .... |
| *Madras* : | | | | | | | |
| Commissioned Officers | 34 | ... | ... | 7 | 7 | 15* | ... |
| Administrative Officers | ... | ... | ... | ... | ... | ... | ... |
| *Bombay* : | | | | | | | |
| Commissioned Officers | 2 | 6 | ... | 3 | 2 | ... | ... |
| Administrative Officers | 4 | 1 | 1 | ... | 1 | ... | ... |
| *Punjab*: | | | | | | | |
| Commissioned Officers | 11 | ... | ... | 2 | 13 | 1 | ... |
| Administrative Officers | 8 | ... | ... | ... | 9 | ... | ... |
| *United Provinces :* | | | | | | | |
| Commissioned Officers | 15 | ... | ... | 4 | 5 | 2 | 1 |
| Administrative Officers | 7 | | | 2 | 4 | 1 | |
| *Bihar:* | | | | | | | |
| Commissioned Officers | 17 | ... | ... | 2 | 5 | 2 | ... |
| Administrative Officers | ... | ... | ... | ... | ... | ... | ... |
| *Bengal :* | | | | | | | |
| Commissioned Officers | 31 | ... | ... | 17 | 56 | 7 | ... |
| Administrative Officers | ... | ... | ... | ... | ... | ... | ... |
| *North West Frontier Province :* | | | | | | | |
| Commissioned Officers | ... | ... | ... | ... | 19 | ... | ... |
| Administrative Officers | 1 | ... | ... | ... | 7 | ... | ... |
| TOTAL | 161 | 25 | 3 | 39 | 135 | 32 | 1 |

* Includes both.

## STATEMENT

### Part (e)

| | | | | |
|---|---|---|---|---|
| Central Provinces and Berar | ... | ... | 1942<br>1943 | 2 |
| Orissa | ... | ... | 1942 | Nil<br>2 |
| Madras | ... | ... | 1943 | 1 |
| Bombay | ... | ... | 1942<br>1943 | 1 |

| | | | | |
|---|---|---|---|---|
| Punjab | ... | ... | 1942 | ... |
| | | | 1943 | 3 |
| United Provinces | ... | ... | | Nil |
| | | | 1942 | ... |
| Bihar | | | 1943 | 1 |
| | | | 1942 | 2 |
| Bengal | ... | ... | 1943 | 11 |
| | | | 1942 | ... |
| North West Frontier Province | ... | ... | 1943 | 1 |
| | Total | ... | | 24 |

Clerks in the Civil Pioneer Force are on a relatively low rate of pay consequently not many of them are suitable for promotion to Administrative Officer.

**Mr. G. Rangiah Naidu** : Is it not a fact that in the beginning of the war these Administrative Officers were allowed to apply for posts of Commissioned Officers if and when vacancies arose ?

**The Honourable Dr. B. R. Ambedkar** : I have no information on the point.

# 157

## *Accommodation for Women Government Servants

112. **Sir F. E. James** : Will the Honourable Member for Labour be pleased to state :

(a) if there is a Labour Department rule to the effect that no Government servant earning less than Rs. 600 per month is entitled to accommodation in a Government hostel, hotel or other residence in Delhi or New Delhi classified as "first class accommodation";

(b) whether this rule applies to women Government servants;

(c) if the answer to (b) is in the affirmative, if any variation of the rule is made in the case of women Government servants who live away from their homes and for whom the available accommodation is not suitable, or who, though not drawing more than Rs. 600 per month, are filling posts whose permanent male incumbents draw more than that amount;

(d) the composition of the Accommodation Advisory Committee;

* Legislative Assembly Debates (Central), Vol. I of 1944, 16th February 1944, p. 283.

(c) if this Committee is empowered to authorise departures from the above rule in suitable cases; and

(f) in how many cases this Committee has relaxed the rule in respect of women Government servants ?

**The Honourable Dr. B. R. Ambedkar** : (a) Yes.

(b) Yes.

(c) No.

(d) (i) Lt. General T. J. Hutton, C.B., M.C.

(ii) The Honourable Mr. H. C. Prior, C.S.I., C.I.E., I.C.S.

(iii) The Honourable Mr. E. Conran-Smith, C.S.I., CLE., I.C.S.

(iv) Mr. G. Mackworth-Young, C.I.E., I.C.S.

(e) No, the Committee can only make recommendations to His Excellency the Governor-General.

(f) In view of the answer to (e) above, this does not arise.

**Sir F. E. James** : My Honourable friend is doubtless aware of the hardship which the rigid application of this rule inflicts upon a number of perfectly good, hard-working and deserving women in Government service ?

**The Honourable Dr. B. R. Ambedkar :** I am aware of that.

**Mr. N. M. Joshi**: May I ask if the Government of India propose to introduce rationing of accommodation in view of the difficulty felt by several people ?

**The Honourable Dr. B. R. Ambedkar :** I can give no answer at this stage.

**Pandit Lakshmi Kanta Maitra :** May I ask when was this Accommodation Advisory Committee appointed and who appointed it ?

**The Honourable Dr. B. R. Ambedkar** : I have no information available at this stage.

# 158

## Introduction of Women Labour in Coal Mines

114. **Mr. Lalchand Navalrai :** (a) Will the Honourable the Labour Member be pleased to state whether it is a fact that the Honourable Member has re-introduced women labour in coal mines ?

* Legislative Assembly Debates (Central), Vol. I of 1944, 16th February 1944, pp. 285-86.

(b) Is it a fact that women labour in coal mines in India was abolished under popular pressure ?

(c) Is it a fact that Mr. Amery, Secretary of State for India, evaded the question put to him recently in the House of Commons, as to whether women labourers were paid the same wages as men, and whether they were working under ground ?

(d) Does the Honourable Member propose to make a statement on the two points referred to in (c) above ?

(e) Is it a fact that man labour for coal mines is available in India ? If so, why is not that labour being utilized instead of women labour ?

(f) Is it a fact that the women are employed because they work harder and are satisfied with little, though their health suffers and their families are broken ? If not, what are the special reasons to re-engage women instead of men ?

**The Honourable Dr. B. R. Ambedkar** : (a) Women labourers are now allowed to work underground in coal mines in the Central Provinces and Berar, Bengal, Bihar and Orissa.

(b) It has been for many years the deliberate policy of the Government of India that women labour should not be allowed to be employed underground in coal mines in India. Provision to this end was made in the Indian Mines Act, 1923. In 1929 women began to be excluded from underground workings and the process was complete in 1937.

(c) I have no information.

(d) No. I made a statement on these two points in answering the adjournment motion moved by Mrs. Renuka Ray on 8th February.

(c) Women have been allowed to work underground owing to the severe shortage of male labour. As soon as there is an assured male labour force sufficient to raise the quantity of coal required by Government, Government will consider reimposing the ban on the employment of women underground. Government are taking immediate steps to import male labour into Bengal and Bihar coalfields.

(f) No. As stated in answer to (e) women have been allowed underground in certain coalfields because sufficient men were not available.

**Mr. Lalchand Navalrai**: With reference to part (b), may I know if it is a fact that labour of women was abolished under public pressure ?

**The Honourable Dr. B. R. Ambedkar :** I cannot answer that question, because I do not know.

**Mr. Lalchand Navalrai:** May I know if before lifting the ban on women labour, the public was consulted or if the Government removed that ban *suo motu* ?

**The Honourable Dr. B. R. Ambedkar :** The Government consulted the interests concerned.

**Mr. Lalchand Navalrai**: Did they object to it?

**The Honourable Dr. B. R. Ambedkar :** No objection.

**Mr. N. M. Joshi**: With reference to part (c), does the Honourable Member say that he has no information whether women are paid equal wages with men ?

**The Honourable Dr. B. R. Ambedkar :** The point of the question was whether the Secretary of State evaded the question. I said I have no information on the point. Women are paid the same wages as men.

**Mr. N. M. Joshi:** As regards equal payment of wages, is the Honourable Member aware that for men and women who work underground, wages are fixed on the basis of joint work of both ? How then does he say that men and women are paid equal wages ?

**The Honourable Dr. B. R. Ambedkar :** If it is brought to the attention of the Government that methods are adopted by which this rule is evaded, the Government will certainly take action in the matter.

**Mr. N. M. Joshi:** Will the Honourable Member enquire whether there is a proper method by which they can find out whether men and women miners are paid equal wages ? My own information is that men and women are paid for joint work and, therefore, it is impossible to find out whether the wages are equal, because both of them get joint payment.

**The Honourable Dr. B. R. Ambedkar :** I am unable to go into that. I can assure the Honourable Member that Government are contemplating about the appointment of Inspectors whose duty it will be to see that the welfare measures which have been announced by the Government are carried out.

**Mr. N. M. Joshi :** In view of the fact that trade unions both in this country as well as Great Britain are interested in this question of women working underground, will the Honourable Member publish a sort of report on the present conditions of women working underground ?

**The Honourable Dr. B. R. Ambedkar**: I will consider the suggestion.

# 159

## * Centres for Training War Technicians

120. **Syed Ghulam Bhik Nairang**: (a) Will the Honourable the Labour Member be pleased to lay on the table a statement mentioning the names of the centres for training war technicians, and the number of trainees permitted for each centre ?

(b) How many centres have been opened in connection with :

(i) Government institutions;
(ii) Railway workshops; and
(iii) private institutions ?

(c) How many of these private institutions belong to the Hindus, and how many to the Mussalmans ?

(d) What is the number of trainees sanctioned for each of these categories ?

**The Honourable Dr. B. R. Ambedkar** : (a) A statement@ is laid on the table.

(b) (i) 125 [including centres belonging to Indian States (25), Municipal Corporations (4), Municipal Committees (4), District Boards (5)]. (ii) 26. (iii) 119.

(c) and (d). The private training centres are attached to industrial concerns, technical institutions, etc., and in many cases are managed by limited companies, Board of Trustees, etc. In such cases it is not possible to say without detailed inquiries whether they are predominantly Hindu or Muslim owned. There are seven training centres with 763 seats, which are clearly owned by Muslims, and 27 centres with 5,184 seats which are clearly owned by Hindus.

# 160

## † Deputy Directors, Senior Regional Inspectors, Regional Inspectors and Technical Inspectors

**121. Syed Ghulam Bhik Nairang**: (a) Will the Honourable the Labour Member be pleased to state the number of Deputy Directors,

* Legislative Assembly Debates (Central), Vol. I of 1944, 16th February 1944, pp. 290-91.

@ *Statement is omitted.*—Ed.

† Legislative Assembly Debates (Central), Vol. I of 1944, 16th February 1944, p. 297.

Senior Regional Inspectors, Regional Inspectors and Technical Inspectors ?

(b) How many of these are Mussalmans ?

**The Honourable Dr. B. R. Ambedkar**: (a) The numbers are as follows :

| | | |
|---|---|---|
| Deputy Directors of Training | ... | 2 |
| Senior Regional Inspectors of Technical Training | | 7 |
| Regional Inspectors of Technical Training | ... | 15 |
| Technical Inspectors | ... | 8 |

The fifteen Regional Inspectors include seven, who are part-time and four who are honorary officers. The 8 Technical Inspectors include three part-time officers.

(b) None.

**Dr. Sir Zia Uddin Ahmad** : None of these are Muslims ?

**The Honourable Dr. B. R. Ambedkar** : I said so.

# 161

## * Bevin Boys sent to England for Training

**122. Syed Ghulam Bhik Nairang**: (a) Will the Honourable the Labour Member please state how many Bevin Boys have already been sent to England for training ?

(b) How many of these are Mussalmans ?

**The Honourable Dr. B. R. Ambedkar : (a)** 563.

**(b) 110.**

# 162

## @ Chairmen of National Service Labour Tribunals

**123. Syed Ghulam Bhik Nairang**: (a) Will the Honourable the Labour Member please state the total number of Chairmen of National Service Labour Tribunals ?

* Legislative Assembly Debates (Central), Vol. I of 1944, 16th February 1944, p. 297.

@ *Ibid.,* p. 297.

(b) How many of these are Mussalmans ?

**The Honourable Dr. B. R. Ambedkar** : (a) Ten. Of these four are whole-time Chairmen; and the remaining six are part-time Chairmen who hold other whole-time appointments either under the Central or the Provincial Government.

(b) One.

# 163

## * Qualifications and Duties of Coal Commissioner

142. **Mr. K. C. Neogy :** (a) Will the Honourable the Labour Member please refer to his reply given in the Legislative Assembly on the 17th November 1943, to question No. 250, that "the principal factor that contributed to the shortage of coal is undoubtedly the shortage of labour", and state why it was deemed necessary by Government to appoint a Coal Commissioner to help to increase coal raising when the primary cause of shortage, according to his above-mentioned reply, was shortage of labour ?

(b) What will be the duties of the Coal Commissioner, and what are the qualifications of the person appointed ? Are Government satisfied that no Indian of the requisite qualifications is available ?

(c) What will be the official relations of the Coal Commissioner with the Labour Department, the Railway Department and any other Department of the Government, respectively ?

(d) What emoluments will the coal Commissioner be entitled to ?

**The Honourable Dr. B. R. Ambedkar** : The Honourable Member for War Transport has agreed to answer the question on the 24th February 1944.

# 164

## @ Measures for Increasing Coal Output

273. **Mr. K. S. Gupta** : (a) Will the Honourable the Labour Member please state the measures adopted to increase the output of

* Legislative Assembly Debates (Central), Vol. I of 1944, 21st February 1944, p. 345.
@ *Ibid.,* Vol. II of 1944, 1st March 1944, p. 719.

coal to meet the bare necessities like train service and maintenance of indigenous industries ?

(b) Is it a fact that service in the mines (coal) is highly injurious to health of the miners ?

(c) Is it a fact that no special amenities are offered to coal miners to attract efficient and skilled workers to the service ?

(d) Is it a fact that miners and their families are housed in insufficient and insanitary surroundings ?

(e) Is it a fact that no medical aid and facilities for education of children are available in the coal mining areas ?

**The Honourable Dr. B. R. Ambedkar** : (a) I would refer the Honourable member to my reply to Sir F. E. James starred question No. 82 on 10th February, which gives the principal measures which Government have adopted to increase the output of coal.

(b) No. Mining is a dangerous occupation but not necessarily injurious to health.

(c) No. Coal miners have been offered food at concession rates and Government are taking steps to increase the supply of consumer goods in the coal fields, it is proposed to increase the amenities offered to coal miners by measures taken under the new Coal mines Labour welfare Fund Ordinance.

(d) In the Jharia and Raniganj coalfields housing consists of pucca buildings built in accordance with specifications laid down by the Jharia and Asansol Mines Boards of Health. In other coalfields the housing is arranged at the miners' discretion for the resident labour which is usually very small. Government are, however, not satisfied with the present arrangements for housing and sanitation in coalfields and schemes to improve these are being prepared under the Coal mines Labour welfare Fund Ordinance.

(e) Medical aid and educational facilities which at present exist are not very satisfactory. Schemes to improve these facilities are being prepared under the Coal mines Labour welfare Fund Ordinance.

**Mr. N. M. Joshi** : Will the Government of India make some report to the Legislature on the conditions in coal mines with regard to housing and other conditions and also the improvements made by Government, and place that report before the House ?

**The Honourable Dr. B. R. Ambedkar** : There is nothing to report upon, so far as I can see. We have just begun the work and if after some time this Ordinance has been in operation my Honourable friend wants to have a report I shall be quite prepared to consider the matter.

**Mr. N. M. Joshi** : The House is greatly interested in this matter and would like to have information about the conditions there and the improvements made. Will they therefore, make a report to the House ?

**The Honourable Dr. B. R. Ambedkar**: I have answered that already.

# 165

## * The Factories (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move for leave to introduce a Bill further to amend the factories Act, 1934.

**Mr. President** (The Honourable Sir Abdur Rahim) **:** The question is:

> "That leave be granted to introduce a Bill further to amend the factories Act, 1934."

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar** : Sir, I introduce the Bill.

# 166

## @ Scheduled Castes Subjected to Forced Labour and *Begar*

**Rao Bahadur N. Siva Raj :** Will the Honourable the Labour Member please state :

(a) whether protection and welfare of agricultural labour is the function of the Labour department of the Government of India ;

(b) whether he is aware of the resolution passed at the annual Session of the All-India Scheduled Castes Federation held at Cawnpore on the 29th and 30th January, 1944, condemning the system of *begar* forced labour prevalent all over India and of which the Schedued Castes are the only victims;

* Legislative Assembly Debates (Central), Vol. II of 1944,3rd March 1944, p. 798.

@ *Ibid.,* 7th March 1944, pp. 903-4.

(c) what action Government propose to take to stop the system of *begar;* and

(d) whether the Government of India propose to appoint a Committee to investigate into the system, with a view to abolishing the same by law ?

**The Honourable Dr. B. R. Ambedkar** : (a) The subject falls under the Labour department, among departments of the Government of India; the general subject is one included in the list of concurrent subjects in part II of list III of the Seventh-Schedule to the Government of India act, 1935.

(b) No formal communication has been received from the All-India, Scheduled Castes Federation.

(c) Government of India has not considered the question so far.

(d) The suggestion will be considered in due course.

**Mr. Govind V. Deshmukh** : Is the Honourable Member aware that in the Central Provinces and berar this *begar,* has been abolished ?

**The Honourable Dr. B. R. Ambedkar** : I have no information **on** the point.

**Mr. K. C. Neogy :** May I know if it is not a fact that His Excellency the Crown Representative and his agents have been impressing upon the state administrations that this sort of forced labour should be discontinued, and that this has led to very beneficial results in certain parts of the country ?

**The Honourable Dr. B. R. Ambedkar :** I am glad to have the information.

**Dr. Sir Zia uddin Ahmad** : May **I** know whether the Honourable Member is aware of the fact that in the United Provices, out of what they call the cultivators, 35 per cent are village labourers and they do not get any benefit on account of high prices. The cultivators do not get them in kind. They arc paid in money and they find it exceedingly difficult.....

**The Honourable Dr. B. R. Ambedkar** : What is the question ?

**Dr. Sir Zia Uddin Ahmad :** The question is whether the Honourable Member is aware of this fact that the cultivators.....

**President** (The Honourable Sir Abdur Rahim) : The Honourable Member has made a long speech.

**Dr. Sir Zia Uddin Ahmad:** I want to know whether the Honourable Member is aware of it and what action do the Government propose to take. That is the question.

(No answer)

# 167

## * Extension of Activities of the Conciliation Officer (Railways) and Supervisor of Railway Labour

394. **Mr. Lalchand Navalrai** : Will the Honourable Member for Labour be pleased to state if any decision has been taken in the matter of extension of activities of the Conciliation Officer (Railways) and Supervisor of Railway Labour, to Railways other than those with headquarters at Calcutta, as said in reply to my starred question No. 131, asked on the 13th November last? if not, when is it likely to be taken ?

**The Honourable Dr. B. R. Ambedkar** : A decision on the question has been postponed pending consideration of wider proposals regarding the machinery for settlement of trade disputes in central undertakings generally.

**Mr. Lalchand Navalrai**: Will that take place after the war is over or will it be introduced now ?

**The Honourable Dr. B. R. Ambedkar** : That is not an inference which is justified by the answer I have given.

# 168

## @ Scheduled Caste Commissioned Officers in the United Provinces Civil Pioneer Force

415. **Mr. Piare Lall Kureel**: With reference to his answer to starred question No. 111 regarding Commissioned Officers in the Civil Pioneer Force, asked by Mr. G. Rangiah Naidu on the 15th February, 1944, will the Honourable Member for Labour be pleased to state the

* Legislative Assembly Debates (Central), Vol. II of 1944, 14th March 1944, pp. 1024-25.
@ *Ibid.,* p. 1036.

names of the scheduled Caste commissioned Officers in the United Provinces Civil Pioneer Force ?

**The Honourable Dr. B. R. Ambedkar** : A statement is laid on the table of the House.

*Statement showing particulars of Scheduled Caste candidates appointed as Commissioned Officers in the United Provinces Civil Pioneer Force Units.*

| Name of Scheduled Castes Officer | Date and Rank of first appointment | | Present Rank | Total No. of Officers appointed | No. of Scheduled Caste Officers appointed. |
|---|---|---|---|---|---|
| 1. Nand Lal Kureel | 19-5-43 | 2nd Lieut | 2nd Lieut. | 28 | 4 |
| 2. S. K. Mulick | 3-7-43 | do. | do. | | |
| 3. K. B. Bhale Rao | 19-11-43 | do. | do. | | |
| 4. Kshetra Pal Singh Sagar | 29-1-44 | do. | do. | | |

# 169

## * Communal Composition of Civil Pioneer Force Clerks

416. **Mr. Piare Lall Kureel**: Will the Honourable Member for Labour be pleased to state :

(a) the total number of clerks in the Civil Pioneer Force in various Provinces; and

(b) how many of these clerks are Hindus, Muslims, Scheduled castes, Christians and anglo Indians, separately in various provinces ?

**The Honourable Dr. B. R. Ambedkar :** Many units are in a war area and others are with the army at outstations and that, therefore, it is not possible in these circumstances to collect the information asked for.

* Legislative Assembly Debates (Central), Vol. II of 1944, 16th March 1944, p. 1037.

# 170

## * Disparity between Unorthodox and Orthodox Quarters in New Delhi

493. **Sardar Sant Singh** : Will the Honourable Member for Labour please state :

(a) whether the plinth and ground area, including outhouses and garden, is much larger in the case of unorthodox clerks' quarters than in the corresponding type of orthodox clerks' quarters (especially in the Minto Road Area), so much so that, while the tenants of unorthodox quarters raise a good crop of vegetables, lay flower beds, rear poultry, can keep milch, cattle and have badminton or tennis ground, there is not enough open space in orthodox quarters even to lay charpois for an average family during summer, and that the roofs of the "D" and "E" orthodox types are so low that they become heated very quickly during summer and cannot be occupied;

(b) whether the quality of materials, *viz.,* timber, bolts, etc., used in the construction of an unorthodox quarter and the furniture supplied therein are much superior to those used in the orthodox type of quarters, the workmanship also being superior;

(c) whether the following special amenities and fittings provided in unorthodox quarters are absent in orthodox quarters :—

(i) gardens and shrubs,

(ii) servants' quarters,

(iii) iron grates in fireplaces,

(iv) wall almirahs,

(v) fittings for curtains and rings for hanging chicks,

(vi) wash basin in bath rooms,

(vii) unfiltered water connection in compound, and

(viii) Venetian window shutters in the "D" and "E" orthodox quarters;

(d) whether no cattle sheds are allowed to be constructed in orthodox quarters below the category "B" while they are allowed in unorthodox quarters;

* Legislative Assembly Debates (Central), Vol. II of 1944, 17th March 1944, pp. 1217-18.

(e) whether in the Public Works Department Enquiry Offices, more prompt attention is given to complaints from unorthodox quarters and preference is also shown to unorthodox quarters in the matter of annual repairs and general maintenance, etc.;

(f) whether the cost of maintenance of an unorthodox quarter is much more than that of an orthodox quarter, and that, while return on capital in the case of an unorthodox quarter is comparatively negligible, the orthodox quarters provide adequate revenue to Government;

(g) if the reply to (a) be in the affirmative, the reasons for discriminating between unorthodox and orthodox types of quarters in regard to amenities referred to and for charging rent on the same basis, *i.e.,* ten per cent for both types; and

(h) whether Government are prepared to amend their Fundamental Rules so as to make them conform to strict business principles ; if not, why not ?

**The Honourable Dr. B. R. Ambedkar:** (a) The answer to first part of the question is in affirmative and to the latter in the negative.

(b) No.

(c) yes so far as items No. (i), (iii), (iv), (v), (vi) and (viii) are concerned. A room for servant exists in other than D and E orthodox quarters and unfiltered water connection is provided in the open compound outside the orthodox quarters.

(d) Yes.

(e) No.

(f) The answer to the first part of the question is in the affirmative. As regards the second part, the position is as follows :

Government servants occupying quarter of both the types pay standard rent or 10 per cent, of their pay, whichever is less, but the standard rents of orthodox quarters being lower, a larger number of occupants pay the standard rent.

(g) The amenities provided in the two types of quarters are in accordance with the standard designs which were prepared to suit the orthodox and unorthodox styles of living. Rent is charged according to rules.

(h) No. Government provide accommodation at concessional rates as laid down in the rules, which cannot be varied to suit the varying circumstances of officers.

**Sardar Sant Singh :** May I know if it is a part of the rule to provide water in the compound of the orthodox quarters and in the case of the unorthodox quarters only in the quarter itself ?

**The Honourable Dr. B. R. Ambedkar :** That must be so.

# 171

## * Promotion of Qualified Copyholders and Revisers as Readers in Government of India Presses

501. **Mr. Muhammad Hussain Choudhury :** (a) With reference to the reply to part (d) of starred question No. 231 put by Qazi Muhammad Ahmad Kazmi, on the 25th February 1944, regarding promotion of Copyholders and Revisers as Readers in the Government of India Press, will the Honourable the Labour Member kindly state whether the ‘ anomaly’ is due to the fact that departmental men passing in earlier dates do not get any preference whatsoever over those who pass in the second chance in subsequent examinations ?

(b) Is he aware that those who pass the examination earlier stand distinctly higher in order of merit and efficiency and experience in Readers’ posts ?

(c) Is it a fact that the present anomaly and the hardship that existed before the promulgation of the existing rule can not be removed unless the date of passing is accepted as a citerion for determining the position of the candidates for Readers’ posts ?

(d) Do Government propose to promote the candidates to readers’ posts on the basis of seniority *cum efficiency, i.e.,* according to seniority but in order of the dates of passing the examination ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) No. The earlier passing of the examination does not necessarily mean higher merit.

(c) There is no anomaly in the case of persons who qualify at the Readership examination in the first or second chance. As regards men

* Legislative Assembly Debates (Central), Vol. II of 1944, 17th March 1944, pp. 1224-25.

who qualify in the third chance, certain anomalies have arisen and the question of removing them is now under consideration, as stated in reply to part (d) of Qazi Muhammad Ahmad Kazmi's question No. 231.

(d) The Readership examination is a qualifying examination and every candidate is permitted to avail of two chances. Government do not propose to regulate promotion in order of the dates of passing the examination.

# 172

## * Biharis as Assistant Geologists

@ 504. **Mr. Kailash Bihari Lall**: Will the Honourable Member for Labour be pleased to state :

(a) if it is not a fact that in the Department of Geological Survey of India vacancies are fillled on the basis of quota fixed for each Province;

(b) the quota fixed for Bihar for the posts of Assistant Geologists ;

(c) how many Biharis are working at present as Assistant Geologists or in a higher capacity ; and

(d) the quotas for different Provinces ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) Does not arise.

(c) Information is being collected and will be laid on the table of the House.

(d) Does not arise.

# 173

## † Promotion of Qualified Copyholders and Revisers as Readers in Government of India Presses

@ 506. **Mr. Kailash Bihari Lall:** Will the Honourable the Labour Member be pleased to state:

(a) whether it is a fact that the case of amending the rule regarding the promotion of qualified Copyholders and Revisers as Reders in Government of India Presses is under consideration;

* Legislative Assembly Debates (Central), Vol. II of 1944, 17th March 1944, p. 1226.

@ Answer to this question laid on the table, the questioner being absent.

† Legislative Assembly Debates (Central), Vol. II of 1944, 17th March 1944, p. 1226.

(b) whether it is a fact that the views of all the Government of India Presses, their Works Committees and Workers' Union which were invited, are also under examination;

(c) whether it is a fact that some qualified Copyholders who passed the Readership Examination in the year 1936, according to the present rules, have been superseded by those who qualified, after four years (in 1940); and

(d) whether it is a fact that these men who passed the examination at a sufficiently earlier date, were superseded by those who qualified after a long period ?

**The Honourable Dr. B. R. Ambedkar** : (a) Yes. Attention is invited to the reply given on the 25th February 1944, to Qazi Muhammad Ahmad Kazmi's question No. 231.

(b) Yes.

(c) and (d). No. As the Rules in force till 1940 required re-qualifying, no supersession was involved.

# 174

## * Transfer of Languages Section of Bureau of Public Information to Lahore

**140. Mr. Muhammad Azhar Ali:** (a) Will the Honourable Member for Labour please state the area of the space allotted to the Languages Section (excluding officers) in Lahore, and the total strength of the staff accommodated therein ? Do Government consider this adequate for the efficiency of the staff ? Was not even this much space available in Delhi ?

(b) Are Government aware that the lavatory has been provided for the staff and the improvised urinal has no drainage arrangement ?

(c) What is the strength of the staff belonging to the Brureau of Public Information which has been transferred from Delhi to Lahore ? Of them how many were provided with quarters in Delhi, and how may in Lahore ? How many of them have so far surrendered their quarters in Lahore on grounds of inadequate accommodation ?

**The Honourable Dr. B. R. Ambedkar** : (a) An area of 4,587 Sq. ft. was allotted to this office. The ministerial staff consist of 48 persons.

* Legislative Assembly Debates (Central), Vol. II of 1944, 17th March 1944, p. 1227.

Second part—Yes.

Third part—No.

(b) The answer to the first half of the question is in the affirmative and to the second half in the negative.

| | | |
|---|---|---|
| (c) Strength of the staff that moved from Delhi | ... | 35 |
| Number of the Staff provided with quarters in Delhi | ... | 7 |
| Number of the Staff provided with quarters in Lahore | ... | 18 |
| Number of the Staff that surrendered accommodation in Lahore on grounds of inadequacy. | | 5 |

# 175

## * Delays at Sales Office of Manager of Publications, Delhi

141. **Mr. Kailash Bihari Lall**: Will the Honourable Member for Labour please state if it is a fact that a person has to wait for hours for publications at the counter of the Sales Office of the office of the Manager of Publications, Old Bihar ?

**The Honourable Dr. B. R. Ambedkar :** The reply is in the negative.

# 176

## @ Election of Members to the Standing Committee for the Labour Department

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir I move :

> "That this Assembly do proceed to elect, in such manner as the Honourable the president may direct, five non-official Members to serve on the Standing Committee to advise on subjects, with which the Labour Department is concerned."

* Legislative Assembly Debates (Central), Vol. II of 1944, 17th March 1944, p. 1227.

@ *Ibid.,* p. 1235.

# 177

## * Scheme for Control of Price and Distribution of Coal, etc.

**577. Mr. Amarendra Nath Chattopadhyaya** : (a) Will the Honourable Member for Labour please stale if it is a fact that a scheme for control of distribution and price control of coal and for encouragement of increase of output has been made ? If so, will the Honourable Member be pleased to state and lay on the table as well a statement giving detail of the policy forming the background of this scheme ?

(b) Is it a scheme which does away with the middlemen between colliery owners and actual consumers ? If so, what are the advantages accruing in consequence of the scheme, and the disadvantages created by the scheme to the present coal suppliers ?

(c) Why should a bonus be paid to collieries for excess raising of coal, or why should a commission of 0-4-0 be paid by collieries and consumers to any middleman when collieries can supply to consumers directly ?

**The Honourable Dr. B. R. Ambedkar** : (a) Yes. A statement@ regarding the scheme, is placed on the table. The scheme consists of five parts : (a) an estimation of the monthly output of each colliery, (b) the formation of a Coal Control Board to advise Government on the working of the scheme, (c) the distribution of all output by Government at fixed prices, (d) the encouragement of production by the grant of bonuses on increased output free of Excess Profits Tax, and (c) control of mining operations. The intention behind the scheme is (i) to ensure that all the coal available is properly distributed at fair prices to the consumers who require it and (ii) to afford every encouragement to the maximum production of coal.

(b) No. The second part of the question docs not arise.

(c) The bonus is paid to encourage production. The amount of the commission has not been fixed. It will be fixed by the Government of India. A middleman will only be employed it a colliery and consumers mutually agree that he should be employed.

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* Legislative Assembly Debates (Central), Vol. II of 1944,22nd March 1944, p. 1393.

@ *Statement omitted.*—Ed.

# 178

## * Levy of Cess on Coal for Bonus Fund Purposes

@ 578. **Mr. Amarendra Nath Chattopadhyaya** : Will the Honourable Member for Labour please state whether it is a fact that cess will be levied on coal for creating a fund to meet the bonus to be paid to collieries ? Is it not a double tax on consumers ?

**The Honourable Dr. B. R. Ambedkar** : The answer to the first part is that that is the intention. As regards the second point the imposition of the cess would mean in all probability a tax on consumers—but the bonus is itself for the benefit of consumers as tending to increase the production of coal which at present is insufficient for consumer's needs.

# 179

## † Deduction from Overtime of Muslim Employees of the Government of India Press, New Delhi, for Friday Prayers

**587. Seth Yusuf Abdoola Haroon** (on behalf of **Qazi Muhammad Ahmad Kazmi)**: (a) Will the Honourable the Labour Member be pleased to state whether it is a fact that one hour is deducted from the Overtime of the Muslim employees of the Government of India Press, New Delhi, who go on Friday to offer Friday Congregation Prayers ?

(b) Is it a fact that previously no deduction was made for this one hour?

(c) Have Government considered the advisability of resuming the old practice or in the alternative to consider that one hour as a part of the casual leave or leave on average pay ?

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* Legislative Assembly Debates (Central), Vol. II of 1944, 22nd March 1944, p. 1395.

@ Answer to this question laid on the table, the questioner being absent.

† Legislative Assembly Debates (Central), Vol. II of 1944, 22nd March 1944, pp. 1398-99.

**The Honourable Dr. B. R. Ambedkar** : (a) Yes.

(b) Prior to 1931, no deduction was made, but this practice was irregular and was abolished.

(c) In view of the reply to part (b), the other questions do not arise. Under the Indian factories Act, an employee is entitled to overtime for the hours worked in excess of the normal working hours fixed under the Act. In calculating overtime, prayer intervals are deducted from the total hours worked by the employee.

**Seth Yusoof Abdoola Haroon** : Does the Honourable Member know that this trouble has arisen because the Government of India have advanced the time by one hour?

**The Honourable Dr. B. R. Ambedkar** : I do not think so.

**Seth Yusoof Abdoola Haroon** : Docs the Honourable Member suggest that prayer time can be changed because Government have changed their time ?

**The Honourable Dr. B. R. Ambedkar** : It is not a question of prayer time being changed. The question relates to whether prayer time should be allowed as overtime work.

# 180

## * Wages in the Government of India Press, New Delhi, for work on Sundays and Other Holidays

588. **Seth Yusuf Abdoola Haroon** (on behalf of **Qazi Muhammad Ahmad Kazmi**) : (a) Will the Honourable the Labour Member be pleased to state whether it is a fact that on the instructions of the Manager of the Government of India Press, New Delhi, employees come on Sundays and other festival holidays to cope with the urgent work of Government but after the day's work they are given only four hours' wages, but previously twelve hours' wages used to be paid to them ?

(b) Have Government considered the advisability of resuming the old practice of paying twelve hours' charges to those who receive

* Legislative Assembly Debates (Central), Vol. II of 1944, 22nd March 1944, p.

regular pay after working for eight hours on closed days, or at least increase four hours to eight hours ?

**The Honourable Dr. B. R. Ambedkar** : (a) The reply to the first part of the question is in the affirmative. As regards the second part, in accordance with the Indian Factories Act, men working on Sundays are allowed, in lieu of a compensatory holiday, an extra payment for 4 hours' work, that is, their day's pay *plus* and additional 50 per cent. For attendance on other closed holidays, an additional 25 per cent. of their day's pay is allowed. Twelve hours' extra wages (that is, a day's pay *plus* 150 per cent.) instead of the 4 hours' permissible were paid by mistake some years ago.

(b) No.

# 181

## * Non-Supply of Stools to Lino-Machine Coolies

589. **Seth Yusuf Abdoola Haroon** (on behalf of **Qazi Muhammad Ahmad Kazmi)**: (a) Will the Honourable the Labour Member be pleased to slate if it is a fact that the coolies who are working Lino Machine, are not provided with stools and they have to keep standing throughout the day and that they submitted applications, but no attention has been paid to them ?

(b) Is it a fact that the work of Barmen is taken from the Coolies and that the posts of Barmen have been abolished ?

(c) Have Government considered the advisability of removing these grievances of the coolies ?

**The Honourable Dr. B. R. Ambedkar** : (a) The coolies working Lino Type Machines do not really work standing. They are required to release obstructions in the distributor bar of the Lino machines, for which purpose they have to climb on Lino machines for attending to them. A stool would, therefore, be useless for the purpose of their duty. For resting labourers usually sit on the floor.

(b) and (c). There arc no posts of Barmen in the Government of India Presses and no such post ever existed in the New Delhi Press. The questions do not, therefore, arise.

* Legislative Assembly Debates (Central), Vol. II of 1944, 22nd March 1944, p.

# 182

## * Labour Adviser to the Labour Department

@ 627. **Mr. K. S. Gupta** : (a) Will the Honourable Member for Labour please state if the post of Labour Adviser to the Labour Department is a new creation ? If so, why is it created ?

(b) If it is an already existing post, who was the last incumbent, and on what salary ?

(c) Is it a fact that Mr. B. L. Waters has been appointed Labour adviser to the Labour Department of the Central Government ? What is his salary and overseas allowance and allowances, if any ?

(d) Is it a war measure that necessitated the appointment of Mr. Waters ? What was he drawing as salary in the British Ministry of Labour and National Service ?

(e) Has he any previous experience of Indian conditions ? If so, under what Head of the Government of India ?

**The Honourable Dr. B. R. Ambedkar** : (a) and (b). The post of Labour Adviser was created in December 1942. It was held by Mr. D. T. Jack till June 1943 and is now held by Mr. B. L. Waters. Mr. Jack's salary was Rs. 2,750 a month.

The Labour Adviser is to advise on all important matters of labour legislation and administration, and in particular the manner in which labour problems that are under consideration or which may arise, have been or are being dealt with in England.

(c) Yes. Mr. Waters draws a salary of Rs. 2,000 p.m. He is not paid any overseas of other monthly allowance.

(d) Yes. At the time of his appointment to his present post, Mr. Waters was drawing a salary of £880 in the scale of £850—30—1,000 per annum in the British Ministry of Labour and National Service.

(e) No, Sir.

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* Legislative Assembly Debates (Central), Vol. II of 1944, 27th March 1944, pp. 1559-60.

@ *The question hour for today having been dispensed with, answers to these questions were, in pursuance of convention, laid on the table of the House.*—Ed. of D.

# 183

## * Want of Light in certain North Block Clerks' Lavatories

**629. Sardar Sant Singh** : (a) With reference to his answer to starred question No. 432, dated the 30th March, 1943, will the Honourable the Labour Member please state whether he is aware that the clerks' lavatory adjacent to the officers' lavatory on the first floor of the North Block facing the north-western court-yard has been without a light for more than a year ?

(b) Is he aware that there is a clerks' lavatory facing the southwestern inner court-yard of the North Block, the frontage of which is now closed due to formation of some rooms, and there is a narrow dark passage leading to this lavatory, and that this lavatory has hardly ever had a light during the last one year or more ?

(c) If an inspection is made of the other clerks' lavatories in the North Block, or in other buildings of the Government of India, is the Honourable Member aware that he will find mostly the same unsatisfactory state of affiars, although apparently the C.P.W.D. authorities have informed him that such is not the case ?

(d) Is the Honourable Member prepared to pay surprise visits to some of these lavatories, without informing the C.P.W.D. authorities, say, once in six months or so, in order to judge the veracity of the statements made to him by the C.P.W.D. authorities ?

**The Honourable Dr. B. R. Ambedkar** : (a), (b) and (c). Yes, I am aware of the unsatisfactory state of lighting in some of the clerks' lavatories in the North Block of the Secretariat buildings. The position is as follows:

Electric bulbs are invariably provided in clerks' lavatories. Replacements are provided as usual and all possible means are adopted to ensure their safety. Despite the fact that locks are used, the bulbs are very often stolen. The records show that since October last about 48 bulbs with an equal number of bulb locks awere replaced in six clerks labvatories in the North Block, out of which only 2 or 3 bulbs

* Legislative Assembly Debates (Central), Vol. II of 1944, 27th March 1944, p. 1561.

are intact while the rest have been stolen. In the ordinary course, only 15 to 16 bulbs should have been supplied during this period on all points (taking the average life of a bulb at 1000 hours). As the provision of lamp locks has not prevented thefts, the Electrical Engineer is arranging to provide a special type of fittings to electric points in these lavatories. It is hoped that this arrangement will prevent thefts and improve lighting in the clerks' lavatories.

(d) In view of the measures that are now proposed to be taken, I do not consider surprise visits by me necessary.

# 184

## * Lawns in front of Orthodox Clerks' Quarters in D.I.Z. Area, New Delhi

630. **Sardar Sant Singh** : (a) With reference to his answer to starred question No. 232, dated the 17lh November, 1943, will the Honourable the Labour Member please state whether he is aware that the C.P.W.D. Administration have supplied him with wrong information about the lawns in front of the orthodox clerks' quarters in the D.I.Z. Area of New Delhi ?

(b) If the reply to (a) be in the negative, is he prepared to inspect some of these lawns without taking any P. W.D. officials with him and find out the correctness or otherwise of the information supplied to this House through him by the C.P.W.D. Administration ?

(c) If the reply to part (b) be in the negative, will the Honourable Member please state :

(i) whether in every case beyond the outer wall of the quarters, there is a road on the other side of which the laws begin ;

(ii) whether it is a fact that the edge of these lawns runs parallel to the walls of the quarters, i.e., in a straight line as far as the quarters were built in a straight line or follows any turn, etc., but always running parallel, in a regular manner, to the walls of the quarters ;

(iii) whether this straight alignment of the edges of the lawns is still maintained ; if so, the width of the said roads, *viz.,* between

* Legislative Assembly Debates (Central), Vol. II of 1944, 27th March 1944, p. 1561.

the quarters and the lawns, as originally fixed and laid on, and their width at the corners or in front of most of the quarters in the Baird Square, Havelock Square, etc.;

(iv) whether any officer of the C.P.W.D. himself visited all the squares, etc., in order to see the condition of the lawns; if so, who was that officer; or whether the matter was left in the hands of some petty subordinates; and

(v) whether the Honourable member is prepared to issue instructions to the C.P.W.D. officers to inspect the places about which complaints are brought to light, personally and invite half a dozen or so tenants of each locality and find out their grievances, if any, taking their signatures on a report on the matters in question ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar** : (a) and (b). No. I have no reason to believe that the information furnished to me was incorrect.

(c) (i) Yes, generally.

(ii) The lawns usually run parallel to the walls of quarters.

(iii) The alignment of the edges of the lawns is still maintained and the width of paths is about 8 feet.

(iv) The Sub-Divisional officer goes round to see the lawns frequently and the Superintendent, Horticultural Operations, inspects them occasionally.

(v) Complaints, when made, are attended to by the C.P.W.D. officers and no special instructions appear to be necessary.

# 185

## * Copyholders and Revisers passing Readers' Examination of Government of India Press, New Delhi

646. **Maulana Zafar Ali Khan** : Will the Honourable the Labour Member be pleased state :

(a) whether it is a fact that some Copyholders and Revisers who passed the Readership Examination in the year 1942, in the third

* Legislative Assembly Debates (Central), Vol. II of 1944, 27th March 1944, pp. 1567-68.

chance (grace chance), in the Government of India Press, New Delhi, were given to understand that if they would succeeded in examination they would remain junior to all qualified men who passed in the first and second chances ;

(b) whether the existing rule was in force in the month of May, 1942, when the examination was held in the Government of India Press, New Delhi ; and

(c) whether the rule regarding the promotion of qualified Copyholders and Readers is going to be amended very shortly in such a way that those men who passed the examination in the third chance are now going to be declared senior to all ; if so, why ?

**The Honourable Dr. B. R. Ambedkar** : (a) No.

(b) Yes.

(c) The attention of the Honourable Member is invited to the reply given to parts (d) and (f) of Qazi Muhammad Ahmad Kazmi's starred question No. 231 and part (c) of Mr. Muhammad Hussain Choudhury's question No. 501.

# 186

## * High-handedness of Landlords in Delhi

647. **Mr. Kailash Biliari Lall** : Will the Honourable Member for Labour be pleased to state :

(a) if the attention of Government has been drawn to the article published in the Hindi weekly named *Vaishya Samachar* of Delhi under the heading "Delhi me Makandaron ki Nadirshahi" in its issue of the 12th March, 1944 ;

(b) if Government have ascertained that actually influential and rich houseowners, resort to such tyrannies as have been described in the article, in question, in alliance with the police officers ;

(c) if it is a fact, that, as stated in the paper, the house rent in the Maliwars Mohalla in Old Delhi has gone so high as from Rs. 9 to Rs. 21/4/-;

(d) if Government propose to get the allegations described in the paper equired into, and to take suitable steps to stop the high handedness of the manner alleged with regard to the question of house rent in Old Delhi; and

* Legislative Assembly Debates (Central), Vol. II of 1944, 27th March 1944, pp. 1571-72.

(e) the difficulties in the way of Government in applying the same law to Old Delhi which regulates and controls the rent in New Delhi ?

**The Honourable Dr. B. R. Ambedkar** : Enquiries are being made of the local authorities and a reply will be laid on the table of the House at an early date.

# 187

## * Representation of Scheduled Castes in Food Department

648. **Mr. Piare Lall Kureel** : (a) Will the Honourable the Food Member be pleased to state the communal representation including that of Scheduled Castes in the Gazetted and Non-Gazetted Staff of the Food Department and the Executive and Provincial organizations thereunder ?

(b) Are Government satisfied with the present representation of Scheduled Castes in the Food Department ? If not, what practical steps do they propose to take in order to secure their due representation in the said Department?

(c) Do Government propose to reduce the educational qualifications for the above Gazetted and Non-Gazetted posts in the case of Scheduled Castes ? If not, why not ?

**The Honourable Sir Jwala Prasad Srivastava** :

(a) I. Gazetted Posts :

| | |
|---|---|
| Europeans ... ... ... | 22 |
| Anglo-Indians ... ... ... | 1 |
| Hindus other than Scheduled Castes ... | 60 |
| Muslims ... ... ... | 22 |
| Other Minority Communities ... ... | 8 |
| Scheduled Castes ... ... ... | 1 |

II. Non-Gazetted Posts :

| | |
|---|---|
| Europeans ... ... ... | 3 |
| Anglo-Indians ... ... ... | 3 |
| Hindus other than Scheduled Castes ... | 445 |
| Muslims ... ... ... | 149 |
| Other Minority Communities ... ... | 52 |
| Scheduled Castes ... ... ... | 1 |

*Legislative Assembly Debates (Central), Vol. II of 1944, 27th March 1944, pp. 1571-72.

(b) The reply to the 1st part is in the negative. With regard to the second part, I would invite the Honourable Member's attention to Home Department Resolution No. 23/5/42-Ests. (S), dated the 11th August, 1943, under which 8 $^{1}/_{3}$per cent of all vacancies to be filled by direct recruitment are to be reserved for Scheduled Caste candidates and certain concessions in regard to age limit and fees have been granted to such candidates. Vacancies are advertised in important newspapers for the information of all candidates.

(c) No. According to the orders issued under the Home Department Resolution, to which I have referred, a minimum standard of qualifications has to be prescribed in all cases and the reservation of vacancies for members of Scheduled Castes is subject to this condition.

# 188

## * Hardships suffered by Tenants in Old Delhi and Shahdara

191. **Mr. Muhammad Azhar Ali:** (a) Is the Honourable Member for Labour aware of the hardships suffered by the tenants in Old Delhi and Shahdara ?

(b) Are Government aware that some rich landlords have increased the rent by 150 per cent during the last two years and in spite of the applications of the Punjab Urban and Rural Act ?

(c) Is it a fact that some landlords have cut off water connections and electric connections with a view to bring pressure on tenants to vacate the premises or increase the rent ?

(d) Do Government propose to extend to Old Delhi and Shahdara the provisions of Rent Control Act lately applied for protection of New Delhi tenants ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes, gnerally.

(b) and (c). I am aware that increases in rent have taken place, but under the Punjab Urban Rent Restriction Act, 1941, these are matters for the decision of the courts.

(d) There are administrative difficulties in the extension of the New Delhi House Rent Control Order, 1939, to the areas in question but the Government of India have other measures under consideration.

* Legislative Assembly Debates (Central), Vol. II of 1944, 27th March 1944, pp. 1571-72.

# 189

## * Irregularities reported under Payment of Wages Act against East Indian Railway

54. **Mr. Ananga Mohan Dam** : (a) Will the Honourable Member for Labour please state the nature of irregularities reported by the Inspector under the Payment of Wages Act against the East Indian Railway since 1938, and the action taken thereon by the Government, by the Railway Board and by the Railway Administration, respectively ? If no action has been taken, what are the reasons therefor ?

(b) Have any of these irregularities been repeated in reports from year to year ?

(c) What action has been taken on the irregularities referred to in part (b) ? If not, why not ?

(d) What are the reasons for not taking proceedings under the Payment of Wages Act against the Railway Administration for the repetition of irregularities ?

**The Honourable Dr. B. R. Ambedkar** : (a) and (b) Information is being obtained and will be placed on the table of the House in due course.

(c) The irregularities detected were brought to the notice of Railway Administration for rectification.

(d) Government does not consider it necessary to proceed formally under the Act when satisfactory settlement in individual cases can be otherwise achieved.

# 190

## @ Technical Experts Recruited for Training of War Technicians

222. **Dr. Sir Zia Uddin Ahmad** : (a) Will the Honourable the Labour Member please state the number of technical experts recruited by the Government of India for the training of War Technicians ? What is their monthly emoluments including salary and other allowances ?

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* Legislative Assembly Debates (Central), Vol. I of 1944, 30th March 1944, p. 358.
@ *Ibid.,* 25th February 1944, p. 539.

(b) What is the total number of centres of War Technicians, and how many of these are in close association with Engineering Colleges and Railway Workshops ?

(c) How many of these expert Instructors are posted in War Technician Centres associated with Engineering Colleges and Railway Workshops ?

(d) Now that the Indians have already been trained, can these Instructors be more usefully employed elsewhere ?

(e) Is it a fact that these expert Instructors have also been allotted a duty of inspecting other centres in addition to teaching work ?

**The Honourable Dr. B. R. Ambedkar** : (a) Apparently the reference is to British Specialist Instructors.

100 British Specialist Instructors were recruited, of whom 87 are now in service. Their emoluments range between Rs. 620 and Rs. 872 per month with free furnished quarters or lodging allowance in lieu plus conveyance allowance in suitable cases.

(b) total number of training centres under the technical

| | | | |
|---|---|---|---|
| Training Scheme | ... | ... | 270 |
| Centres in Engineering Colleges | ... | ... | 12 |
| Centres in Railway Workshops | ... | ... | 27 |

(c) 10 in each.

(d) In the opinion of Government they cannot be more usefully employed than in connection with the training of technicians.

(e) Yes, in a few cases.

**Mr. Lalchand Navalrai :** Has any centre been established in Karachi ?

**The Honourable Dr. B. R. Ambedkar :** I want notice.

**Dr. Sir Zia Uddin Ahmad** : Is it not a fact that these expert instructors who are deputed to centres associated with Engineering Colleges or workshops have got additional duties of inspecting centres which have been established outside these institutions.

**The Honourable Dr. B. R. Ambedkar :** As I said, yes, in a few cases.

**Dr. Sir Zia Uddin Ahmad :** May I know if these experts who are associated with Engineering Colleges are subject to the discipline of Government or are associated with other members of the staff of the college concerned ?

**The Honourable Dr. B. R. Ambedkar:** I want notice.

**Dr. Sir Zia Uddin Ahmad :** Are the Government aware of this fact that these experts who are associated with Engineering Colleges do not consider themselves to belong to the staff of the Engineering College and they do not consider that they are subject to the discipline to which members of the staff are subjected; are the Government aware of the fact that they spend a good deal of time in inspecting other institutions and they consider the teaching job to be unattractive, and they have no heart in their teaching work ?

**The Honourable Dr. B. R. Ambedkar :** I will enquire into what my Honourable friend has said.

# 191

## * Strike in the Government of India Press

230. **Qazi Muhammad Ahmad Kazmi:** (a) Will the Honourable Member for Labour please state if it is or it is not a fact that as a result of great discontent among the employees of the Government Press, a strike took place on the 1st December, 1942, which was pacified by the visits of the Labour Secretary and the Labour Welfare Officer, to whom the major grievances were given by the workers ?

(b) What has been done by Government to remove their grievances especially about the following :

(i) the grant of dearness allowance to the Press employees on the lines of Railway rates;

(ii) the grant of casual leave to all the industrial employees;

(iii) the levy of a uniform rate of five per cent house-rent on all the employees, irrespective of their date of occupation of Press quarters;

(iv) the revision of the numerous existing grades of pay of the employees of the Binding Branch into one time-scale of pay, so as to afford a living wage; and

(v) the grant of at least old scales of pay to all the employees of the Press ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

* Legislative Assembly Debates (Central), Vol. I of 1944, 25th February 1944, p. 546.

(b) (i) and (iii) As the questions affected all services, the requests of the Press employees for separate treatment have not been acceded to. I may add that it was decided on the representation of the Press Workers that dearness allowance should not be included in calculating the rent payable by occupants of Government residences.

(ii) and (iv) Both the questions are at present under consideration. Steps are being taken to expedite a decision on them.

(v) This is not the opportune time to undertake a general revision of scales of pay. Such a revision can only be undertaken after the war in the light of post-war conditions.

# 192

## * Promotion of Qualified Copyholders and Revisers as Readers in the Government of India Presses

231. **Qazi Muhammad Ahmad Kazmi :** Will the Honourable the Labour Member be pleased to state :

(a) whether it is a fact that the case of amending the rule regarding the promotion of qualified copyholders and revisers as readers in the Government of India Presses, is pending consideration in the office of the Controller of Printing and Stationery, India, for more than $1^1/_2$ years;

(b) whether it is a fact that the views of all the Government of India Presses, their Works Committees and Workers Unions, were invited by the Controller of Printing and Stationery on the subject;

(c) whether it is a fact that the Controller of Printing and Stationery also suggested to postpone the Readership Examination for an indefinite period, i.e. till all the qualified men on the waiting list were absorbed as readers permanently;

(d) whether it is a fact that some qualified copyholders and revisers with more than fifteen years' service at credit have, according to the present rules, been rendered junior to those who have put in only four or five years' service, though all qualified together in the same examination;

* Legislative Assembly Debates (Central), Vol. I of 1944, 25th February 1944, pp. 546-47.

(e) whether it is a fact that some who passed the Readership Examination in the year 1936, in the first attempt, have become junior to those who qualified after four years (in 1940), in the second attempt; and

(f) if the answers to parts (a) to (c) above be in the affirmative, whether the Honourable Member proposes to remove the anomalies of the rules, and to expedite the final decision of the case, so that the Readership Examination, due in May, 1944, in the Government of India Press, New Delhi, may not be postponed for want of decision; if not, what advantage is in view in keeping the decision in abeyance for so long ?

**The Honourable Dr. B. R. Ambedkar :** (a), (b) and (c) Yes. The delay in finalising the decision of Government on the points raised is due to the widely divergent views expressed by the different parties whose opinions were invited.

(d) Certain anomalies involved in die application of the rules have been brought to the notice of Government. Proposals to remove them are at present under the consideration of Government.

(c) The question does not arise. Appointments to the posts of readers are made by seniority and not by merit on the results of a qualifying examination.

(f) As stated in reply to (d) above, proposals regarding the amendment of the rules on the subject have been received and are under examination. It is hoped to issue orders well before the next readership examination in the Government of India Press, New Delhi (due in May 1944) is held.

# 193

## * Amendments to the New Delhi Rent Control Order

**Maulvi Muhammad Abdul Ghani :** (a) Will the Honourable the Labour Member please state whether amendments to the New Delhi Rent Control Order announced on January 24th, 1944, arc applicable, retrospectively, as was stated by his Joint Secretary, Mr. Mozumdar,

* Legislative Assembly Debates (Central), Vol. I of 1944, 28th February 1944, pp. 657-58

at a Press Conference, the account of which was published in the New Delhi Statesman of January 27th ?

(b) Is he aware that these amendments are interpreted by the Delhi courts to apply retrospectively ?

(c) If the intention of Government was not to give these amendments retrospective effect, do they propose to issue a clarification of their intention, in view of the interpretation placed on them by the Delhi courts ? If not, why not ?

(d) Is he aware that a copy of the Gazette Extraordinary, dated the 24th January, in which these amendments were announced was privately handed over by his office to Mr. Shiva Rao, New Delhi correspondent of the Hindu, at a time when copies were not available to the public, to enable Mr. Shiva Rao to take advantage of it, in case of ejectment which was pending in Delhi civil courts and judgment on which was to be announced on January 25th ?

(e) Is he aware that his Joint Secretary, Mr. Mozumdar, has issued orders that house No. 7 Barakhamba Road in which Mr. Shiva Rao resides as a tenant, should be requisitioned, in case Mr. Shiva Rao was ejected in pursuance of the decree if given in favour of his landlord by the civil court ? If these allegations are correct, does the Honourable Member propose to institute an enquiry in the alleged partiality of the Government servants ?

(f) Is it a fact that Mr. Mozumdar had issued orders that in the event of Mr. shiva Rao being ejected, he should be provided with a three-roomed hutment by Government ? Do Government propose to provide similar facilities to other journal in New Delhi ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) No such Statement was made by Joint Secretary, Labour Department.

(b) We have no information on the subject.

(c) No. The interpretation of Statutes and Orders is a matter for the courts and not for Government.

(d) No. The allegation is incorrect.

(e) Yes, the order was passed because the house would, in the event mentioned, have fallen vacant and be available for use by Government. There is no question of Government requisitioning it for Mr. Shiva Rao. It is the policy of Government to requisition all available accommodation in Delhi that may fall vacant.

(f) NO.

**Sir Muhammad Yamin Khan :** What is the intention of Government ? Do they want to give it retrospective effect or not ?

**The Honourable Dr. B. R. Ambedkar :** The legal intention is always for the Courts to interpret.

**Sir Muhammad Yamin Khan :** The Courts will undoubtedly interpret, but what is the order of the Government ? Is it to have retrospective effect or is it only for the future ?

**The Honourable Dr. B. R. Ambedkar :** That is **a** matter which must be left to the Courts.

**Mr. N. M. Joshi :** Is it not a fact that landlords in Delhi are harassing their tenants in order to profiteer and what steps are Government taking to stop it ?

**The Honourable Dr. B. R. Ambedkar :** I have no information that the landlords are harassing, but we had a deputation from the tenants who placed before Government certain complaints and the amendment of the New Delhi Rent Control Order was made to meet some of the grievances.

**Sir Muhammad Yamin Khan : In** this case the house owner is **a** retired Executive Engineer, Rai Bahadur Durgadas, who has a big family of 20 persons, whom he cannot accommodate anywhere else.

**The Honourable Dr. B. R. Ambedkar :** I have no information on the point.

**Maulvi Muhammad Abdul Ghani:** Is it the intention of the Government to clarify the effect of any order passed if the Court feels any ambiguity ?

**The Honourable Dr. B. R. Ambedkar :** I do not follow the Honourable Member's question.

**Maulvi Muhammad Abdul Ghani :** May I know whether the Government propose to issue any clarification of their order passed regarding the applicability of its retrospectiveness to the Court ?

**The Honourable Dr. B. R. Ambedkar :** Certainly, if there is any ambiguity it will be the duty of the Government to clarify it.

**Mr. Lalchand Navalrai :** Is the order very clear or does it require any interpretation ?

**The Honourable Dr. B. R. Ambedkar :** I can supply a copy to my Honourable friend.

**Mr. Lalchand Navalrai :** My question is this : Is the order clear and unambiguous or liable to interpretations ? The Honourable member says that the Court will interpret it. The Court will undoubtedly do it but only in the latter case.

**The Honourable Dr. B. R. Ambedkar :** I do not know what my Honourable friend wants to convey.

**Mr. Lalchand Navalrai:** My question is this. The Honourable Member said that order may be interpreted by the Court. But I say, is the order itself liable to interpretations, on which the Honourable Member says that it will be to the Court.....

**Mr. President** (The Honourable Sir Abdur Rahim) : That is an argument.

**Mr. Lalchand Navalrai**: I am putting the question.

**Mr. President** (The Honourable Sir Abdur Rahim) : Order, order.

# 194

## * Employment of Women for Underground Work in Collieries

**701. Mr. K. S. Gupta** : (a) Is the Honourable Member for Labour aware that Mr. Sorensen described the recruiting of women to work in coal mines in India as "most serious and retrograde step" ?

(b) Is it not a fact that the price of foodstuffs and other necessities of life have gone up four to five times the pre-war rates while wages

* Legislative Assembly Debates (Central), Vol. III of 1944, 30th March 1944, p. 1745.

in the majority of the collieries are now 50 per cent above the pre-war rates ?

(c) Is it a fact that women are allowed to work in coal mines because the required number of men are not available for working in the mines ?

(d) Is it not a fact that amenities for service in collieries are far below the requirements of workers, which forced the men workers to seek service elsewhere for pay and prospect far superior to those of collieries ?

(e) Is it not a fact that women are prohibited from working in collieries and for services underground (i.e., mines other than coal) in the United Kingdom and the United States ?

**The Honourable Dr. B. R. Ambedkar :** (a) I have seen press notices to this effect.

(b) I have no precise information regarding the rise in the cost of living in the coalfields compared with pre-war. Foodstuffs are provided for coalminers at concession rates.

(c) Yes.

(d) There is evidence that coalmining labour sought service on military works in the neighbourhood of collieries in preference to working in coalmines. As regards the amenities, I would refer the Honourable Member to part (c) of my reply to his question No. 273 on the 1st March, 1944.

(c) Women are not allowed to work underground in the United Kingdom. Women are, however, employed in some surface work in collieries. I have no information regarding the United States.

**Mr. N. M. Joshi :** May I ask whether it is a fact that the price of rice in pre-war days was 12 seers to the rupee and the present price charged in the coal areas for miners is 6 seers to the rupee ?

**The Honourable Dr. B. R. Ambedkar :** I have no precise information on the point.

# 195

## * Employment of Women for Underground Work in Collieries

**702. Mr. K. S. Gupta** : (a) Will the Honourable the Labour Member please state whether the shortage of coal is the reason for the Government of India to lift the ban on women working underground ? If so, have Government taken into consideration that the price of human life is more precious than the production of coal ?

(b) Does the Honourable Member know that such permission would not be tolerated for a moment in England or elsewhere ?

(c) Is it not a fact that decent conditions of life and adequate wages are not available for workers in the Indian collieries ?

(d) Is it not a fact that scientific extraction of coal is not available in India as in the United Kingdom and the United States of America ?

(e) Does the Honourable Member know that subsidence of earth and explosions of coal gas are more frequent in Indian collieries than elsewhere for want of adequate precautions and existence of primitive methods adopted in extraction of the ore ?

**The Honourable Dr. B. R. Ambedkar** : (a) The answer to both parts of the question is in the affirmative.

(b) Women are not allowed underground in coalmines in Great Britain. I have no information regarding other countries.

(c) As I stated in answer to the Honourable Member's Question No. 274 on the 1st March, 1944, working conditions in mines have not been very satisfactory. Every effort is being made to see that conditions of life arc improved and that adequate wages are paid.

(d) Mechanisation in Indian coal mines is not so far advanced as in the United Kingdom and the United States.

(e) Collapses or subsidence are not more frequent in Indian mines than in other countries where the coal scams are near the surface. Gas explosions are not so frequent in Indian mines as in coalmines of most other countries. Safety precautions taken in this country compare favourable with those adopted in any other country.

* Legislative Assembly Debates (Central), Vol. III of 1944, 30th March 1944, pp. 1745-46.

# 196

## * Closing of Openings in D.I.Z. Area Squares, New Delhi

704. **Sardar Sant Singh :** Will the Honourable the Labour Member please state the reasons for which openings on the corners and in the middle of the various squares in the D.I.Z. area in New Delhi were closed ?

**The Honourable Dr. B. R. Ambedkar :** The reason for closing the passages was to prevent people from committing nuisance on them. This action was taken at the suggestion of the Public Health Department.

# 197

## @ Labour Unrest in Karachi Port Trust

715. **Seth Yusuf Abdoola Haroon** : (a) Will the Honourable the Labour Member please state if his attention has been drawn to the memorandum issued by Kazi Mohamcd Mujtaba, General Secretary, Sind Provincial Trade Union Congress, under the heading "A few facts about the labour unrest in Karachi Port Trust" ?

(b) Is it a fact that 2,384 workers of the Karachi Port Trust have demanded the appointment of an adjudicator to look into their demands ?

(c) Is it a fact that the Labour Welfare Officer of the Government of India had made certain recommendations after his visit to Karachi in July, 1943 ?

(d) If the reply to the above is in the affirmative, what action have Government taken or propose to take in the matter ?

The **Honourable Dr. B. R. Ambedkar :** The Honourable Member, for War Transport has agreed to answer this question.

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* Legislative Assembly Debates (Central), Vol. III of 1944, 30th March 1944, p. 1746.
@ *Ibid.,* p. 1751.

# 198

## * Proposed Conversion of Civil Pioneer Force into Auxiliary Pioneer Force

717. **Mr. Piare Lall Kureel :** Will the Honourable Member for Labour be pleased to state :

(a) whether Government intend to convert the Civil Pioneer Force into the Auxiliary Pioneer Force ; and

(b) if the answer to part (a) be in the affirmative, when do Government propose to convert the Civil Pioneer Force into the Auxiliary Pioneer Force, whether during or after the War ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) Does not arise.

# 199

## @ Pay of Pioneers in Civil Pioneer Force

718. **Mr. Piare Lall Kureel:** (a) Will the Honourable Member for Labour be pleased to state if it is a fact that the pay of a pioneer in the Civil Pioneer Force is Rs. 15 a month only ?

(b) Does the Honourable Member consider the present pay of a pioneer adequate under the present economic condition of the country ?

(c) Do Government propose to increase the pay of the pioneers as they have done in case of soldiers in the Indian Army ?

**The Honourable Dr. B. R. Ambedkar :** (a) The basic rate of pay of a Pioneer in the Civil Pioneer Force is Rs. 15 a month. If he is serving in a war area where a similar allowance is admissible to members of the Defence Services, he is allowed *batta* at the rate of Rs. 3-8-0 per month.

(b) Considering that a Pioneer in addition to his pay is provided with free rations, free accommodation, free uniform and equipment, the pay is adequate.

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* Legislative Assembly Debates (Central), Vol. III of 1944, 30th March 1944, p. 1752.

@ *Ibid.* p. 1752.

(c) The matter will be considered in respect of persons employed in a War Area.

# 200

## * Non-Payment of Allowance to Tailors in Civil Pioneer Force

719. **Mr. Piare Lall Kureel** : (a) Will the Honourable Member for Labour be pleased to state whether clerks, sweepers and washermen, attached to the Second Unit of the United Provinces Civil Pioneer Force get Rs. 5 each as allowance per month ?

(b) If the answer to the part (a) above be in the affirmative, why is the same allowance not given in the case of tailors attached to the said Force ?

(c) Docs the Honourable member propose to remedy the grievances of the tailors in this respect ?

**The Honourable Dr. B. R. Ambedkar** : (a) Owing to the difficulty of recruiting barbers, washermen and sweepers, Provincial Governments are allowed to grant those categories special trade allowance in accordance with the situation in the provinces in respect of each of the categories up to a maximum of Rs. 5 per month. It is open to the Provincial Governments to recommend a trade allowance in respect of categories other than those referred to above, including tailors.

(b) No recommendation has been made by the Government of the United Provinces for any special allowance being granted to tailors.

(c) The Government of India do not consider that any action is necessary.

* Legislative Assembly Debates (Central), Vol. III of 1944, 30th March 1944, p. 1752.

# 201

## * Applications under Payment of Wages Act against Illegal Deductions, etc. by Railway Administrations

222. **Mr. Muhammad Azhar Ali** : Will the Honourable Member for Labour please slate the number of applications in each year presented by persons referred to in Section 15 (2) of the Payment of Wages Act, 1936, respectively, to the Authority since the 1st April,1938, for directions against illegal deductions and delayed payment, respectively, by the Railway Administrations separately ?

**The Honourable Dr. B. R. Ambedkar :** Government have no information regarding the number of applications presented by railway employees under section 15 (2) of the Payment of Wages Act. **The** collection of the information required will involve an amount of labour which will not be justified by the results achieved.

# 202

## @ Cases of Infringement of Hours of Work for Railway Employees not covered by Factories Act

223. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Labour please state the number of cases of infringement of the Hours of Work for employees on Railways not covered by the Factories Act since 1931, and the action taken thereon ?

**The Honourable Dr. B. R. Ambedkar :** Information is being obtained and will be placed on the table of the House in due course.

# 203

## † Functions and Duties of Central Electricity Board, etc.

224. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Labour please state the functions and duties of:

(i) the Central Electricity Board,

* Legislative Assembly Debates (Central), Vol. Ill of 1944, 30th March 1944, p. 1757.

@ *Ibid.,* p. 1757.

† *Ibid.,* p. 1757.

(ii) the Delhi Central Electric Power Authority Board, and

(iii) the Central Electric Power Control Board ?

**The Honourable Dr. B. R. Ambedkar** : (i) The Central Electricity Board is the authority set up under section 36-A of the Indian Electricity Act, 1910, for making rules under Section 37 of that Act.

(ii) The Delhi Central Electric Power Authority Ltd., is a private company and acts as a Central Organisation in Delhi Province for the generation or purchase in bulk of electric energy and for its distribution to bulk consumers, i.e. those who undertake to consume or to pay for not less than 5,00,000 units per annum.

(iii) The functions of the Central Electric Power Control Board are :

(a) to advise the Government of India regarding any measure of control to be applied to the supply of electricity by any public electricity supply undertaking;

(b) to administer such control, as may have been approved by the Government of India in the case of any public electric supply undertaking and, in particular, to issue permits for new supplies of electricity or for restriction of existing supplies in accordance with the general principles laid down by the Government of India;

(c) to collect such information from public electricity supply undertakings as it considers necessary in order to be in a position to advise Government regarding the necessities of control and as to the areas in which surplus electric power is likely to be available; and

(d) to collect such information as may be required to assist in co-ordinating the development and utilization of electric power on the best lines in furtherance of the general interests of the war effort and industrial development of India.

# 204

## * Electricity Charges paid by Consumers in Shahdara, Delhi

225. **Mr. Muhammad Azhar Ali:** Will the Honourable Member for Labour please state :

(a) if it is a fact that (i) the Central Electricity Board,

(ii) the Delhi Central Electric Power Authority Board, and

* Legislative Assembly Debates (Central), Vol. III of 1944, 30th March 1944, pp. 1757-58.

(iii) the Central Electric Power Control Board have supervision, power and control on the supply of electric to Shahdara town;

(b) if it is a fact that the Pitkeathly Report recommended a uniform charge for current consumption within the Province of Delhi;

(c) if it is a fact that the licence granted to the Upper Jumna Valley Electricity Company, Limited, for distribution of current to Shahdara town was on a date before the Pitkeathly Report; if so, the reasons for not amending the licence on the recommendations of that Report and reducing the charges from annas-/6/- per unit to annas-/4/- per unit; and

(d) whether Government propose to give the licence for distribution to a company whose service will be less expensive by inviting tenders; if not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Assuming that the Honourable Member's reference to the supervision, power and control on the supply of electricity to Shahdara town, is in regard to the conditions and rates of supply, the authorities mentioned are not responsible in the matter.

(b) No.

(c) First Part—Yes. Second Part—The Report did not recommend that the licence be amended.

(d) Until such time as it is found possible to give a supply of energy to the Shahdara licensee from the Central Power House in Delhi, the rates which the Shahdara licensee is charging (and which are within the terms of his licence) cannot be regarded as excessive, and there can be no question of giving a second distribution licence to any person for this area.

# 205

## * Electricity Charges paid by Consumers in Shahdara, Delhi

226. **Mr. Muhammad Azhar Ali :** Will the Honourable Member for Labour please state :

(a) if it is a fact that the Upper Jumna Valley Electricity Company, Limited, pays the United Provinces Government for the supply at annas -/2/6 per unit;

* Legislative Assembly Debates (Central), Vol. III of 1944, 30th March 1944, p. 1758.

(b) if it is a fact that the said Company charges the consumers of Shahdara town at annas -/6/- per unit;

(c) at what rate the Company calculate the operating charges; and

(d) the number of consumers in each year from 1939, together with the amount of expenditure in each year for the maintenance of services by the said Company ?

The Honourable Dr. B. R. Ambedkar : (a) and (b) Yes.

(c) Government have no information.

(d) A statement giving the number of consumers is appended. The expression "expenditure for the maintenance of services" is not sufficiently definite to enable any figures to be given.

| | | | Number of consumers |
|---|---|---|---|
| Year ending 31st March 1939 | ... | ... | 114 |
| Year ending 31st March 1940 | ... | ... | 118 |
| Year ending 31st March 1941 | ... | ... | 131 |
| Year ending 31st March 1942 | ... | ... | 141 |
| Year ending 31st March 1943 | ... | ... | 143 |

# 206

## * The Factories (Second Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I beg to move for leave to introduce a Bill further to amend the Factories Act, 1934 (Second Amendment).

**Mr. President (The Honourable Sir Abdur Rahim)**: The question is :

> "That leave be granted to introduce a Bill further to amend the Factories Act, 1934 (Second Amendment)."

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir, I introduce the Bill.

* Legislative Assembly Debates (Central), Vol. III of 1944, 3rd April 1944, p. 1870.

# 207

## * Closing of Arches between Quarters on Irwin Road, New Delhi

771. **Mr. Muhammed Azhar Ali:** (a) Is the Honourable the Labour Member aware that sometime back some of the passengers (arches) in between the Government quarters situated on the Irwin Road, New Delhi, were closed for vehicular traffic, etc.?

(b) Is the Honourable Member aware that some of these have been closed by erecting small pillars of cements and others by putting up a revolving iron bar gate fixed in a 'V' type of structures ?

(c) What is the object and utility of putting up these iron bar gates when 'V' type of structures can easily block the way for vehicular traffic ?

(d) Is the Honourable Member further aware that children while playing get hurt—sometimes very seriously—by these iron bar gates ?

(e) Does the Honourable Member propose to consider the desirability of getting these iron gates removed immediately and have them utilized in some other way ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar:** (a) Yes.

(b) Yes.

(c) To stop cycle traffic.

(d) No.

(e) Government will be prepared to consider the suggestion of the Honourable Member.

# 208

## @ Absence of Muslim Officers in Central Stationery Office

773. **Mr. Muhammad Nauman :** (a) Is the Honourable the Labour Member aware that none of the officers in the Central Stationery Office is a Muslim ?

* Legislative Assembly Debates (Central), Vol. III of 1944, 4th April 1944, p. 1914.
@*Ibid.,* p. 1915.

(b) Is it also a fact that a new post of Assistant Controller, Stationery, has been recently sanctioned and has not yet been filled up ? If so, does the Honourable Member propose to reserve it for a Muslim ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) The answer to the first part of the question is in the affirmative. The answer to the second part is that the post would be filled according to the communal representation rules.

# 209

## * Desirability of Posting a Technical Officer to the Office of Controller of Printing and Stationery

774. **Mr. Muhammad Nauman :** Will the Honourable the Labour Member please say:

(a) whether it is a fact that the work in the Government of India Presses is of a technical nature;

(b) Whether it is also a fact that none of the officers at the headquarters' office of the Controller of Printing and Stationery is an officer drawn from the technical side; and

(c) if the replies to parts (a) and (b) are in the affirmative, whether he proposes to consider the desirability of posting a technical officer to the Controller's Office ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes, mostly.

(b) Yes.

(c) No, because detailed technical supervision and scrutiny of printing work is not necessary in his office.

# 210

## @ Government Contribution to Indian Labour Federation

776. **Mr. Lalchand Navalrai:** (a) Will the Honourable Member for Labour be pleased to state whether it is a fact that his Department makes

* Legislative Assembly Debates (Central), Vol. III of 1944, 4th April 1944, p. 1915.
@ *Ibid.,* pp. 1915-16.

a monthly contribution of Rs. 13,000 to the Indian Labour Federation through Mr. M. N. Roy. If so, for what purpose ? If the amount of contribution is more or less than this figure, will the Honourable Member please state the correct figure ?

(b) Have any accounts been rendered for the money so contributed to the Indian Labour Federation ? If not, why not ?

(c) If the reply to first portion of part (b) above be in the affirmative, will the Honourable Member please lay on the table of the House copies of such statements received for the last six months ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar**: (a) A monthly grant of Rs. 13,000 is made to the Indian Federation of Labour for doing propaganda to keep up the morale of industrial labour.

(b) Yes, Sir.

(c) No. The accounts are subject to the same scrutiny as all public accounts and no useful purpose would be served by placing them on the table.

**Mr. Lalchand Navalrai**: Is he authorised to distribute that money to other persons for the purpose of propaganda ?

**The Honourable Dr. B. R. Ambedkar** : It is not given to him; the grant is made to the Indian Federation of Labour.

**Mr. Lalchand Navalrai**: That means, the person who is in charge of the Federation. Can he distribute that money to other people asking them to go and do propaganda ?

**The Honourable Dr. B. R. Ambedkar** : I have no information as to how the money will be distributed.

**Mr. Lalchand Navalrai:** Will the Honourable Member enquire into it because accounts have to be made ?

**The Honourable Dr. B. R. Ambedkar** : The accounts are audited as all other public accounts are.

**Mr. Lalchand Navalrai**: Does the Honourable Member know how this amount is shown to have been distributed ? Is it shown by the audit?

**The Honourable Dr. B. R. Ambedkar :** I have no information, but the accounts are scrutinised in the same way as all other public accounts.

**Dr. Sir Zia Uddin Ahmad** : Have the Federation made any rule and submitted the same to the Government, regulating the manner in which this grant should be spent ?

**The Honourable Dr. B. R. Ambedkar :** I have no information on that.

**Mr. Lalchand Navalrai:** Will the Honourable Member make an enquiry into it ?

**The Honourable Dr. B. R. Ambedkar :** If the Honourable Member will care to put a question, I will make enquiries.

**Dr. Sir Zia Uddin Ahmad :** I do not know how accounts will be audited if there are no rules for distribution.

**The Honourable Dr. B. R. Ambedkar :** I am sure that the public accounts officer must satisfy himself, that there are some rules according to which the money is spent.

**Mr. Badri Dutt Pande :** Are there any other associations which are getting money like this ?

**The Honourable Dr. B. R. Ambedkar :** I must have notice of that question.

**Dr. Sir Zia Uddin Ahmad :** There ought to be some rules by means of which it can be ensured that Mr. Roy does not spend the whole money on his friends.

**The Honourable Dr.** B. R. **Ambedkar :** I had no idea that the Honourable Member had any justification to presume that there were no rules.

**Dr. Sir Zia Uddin Ahmad :** That is the impression which one gets, because Government showed ignorance.

**The Honourable Dr. B. R. Ambedkar :** Government have not shown ignorance. My answer was that the accounts are subject to the same scrutiny as other public accounts are.

**Mr. T. T. Krishnamachari :** Has the Honourable Member satisfied himself that this is the only organisation that will help the Government to keep up the morale of labour ?

**The Honourable Dr. B. R. Ambedkar :** I have no information. I must have notice of that question.

# 211

## * Ejectment Cases in Delhi Courts

@ 782. **Khan Bahadur Shaikh Fazl-i-Haq Piracha** : (a) Will the Honourable the Labour Member be pleased to state the number of ejectment cases filed in Delhi Court since the extension of Punjab Rent

* Legislative Assembly Debates (Central), Vol. III of 1944, 4th April 1944, pp. 1919-20.

@ Answer to this question laid on the table, the questioner being absent.

Restriction Act to Delhi Province ? How many have been disposed of and how many are still pending in Courts ?

(b) Is he aware that immediately after enforcement of the Punjab Rent Restriction Act in Delhi Municipal Area, landlords asked **a** number of tenants to vacate residential houses and flats for landlords' own occupation ? Are Government aware that a large majority of such claims was false and the houses were let to the same or other parties on payment of Nazrana ?

(c) Will he be pleased to give instructions for enacting Control Orders throughout Delhi Province providing that no residential house or flat should be vacated so long as the tenant pays or is willing to pay controlled rent ?

(d) Is he aware that landlords in Delhi generally refuse to carry out repairs to their property since the enforcement of Control Orders ? If so, will he be pleased to state what steps he proposes to take to penalise the landlords for refusing to attend to their property ?

**The Honourable Dr. B. R. Ambedkar** : (a) The number of suits instituted upto the 28th of March 1944 was 1,444. Of these 888 had been disposed of and 556 were pending.

(b) Yes. I understand that the local authorities have received complaints to this effect.

(c) Government have certain measures under consideration.

(d) The local authorities have received some complaints and the matter is under consideration.

# 212

## * Publication of Railway Labour Supervisor's Annual Report

262. **Mr. Lalchand Navalrai**: With reference to the Honourable the Labour Member's reply to unstarred question No. 43, asked on the 10th February, 1943, in regard to the publication of Railway Labour Supervisor's annual report, will the Honourable Member ensure the publication of brief reports by way of press communiques for the information of interests concerned ? If not, why not ?

* Legislative Assembly Debates (Central), Vol. III of 1944, 4th April 1944, pp. 1924-25.

**The Honourable Dr. B. R. Ambedkar :** The Honourable Member presumably refers to the unstarred question No. 43, asked on the 10th February 1944.

The question of issuing Press Communiques on the annual reports of the Supervisor of Railway Labour, is under consideration of the Government.

# 213

## * Maintenance of Roads within Shahdara, Delhi

263. **Mr. G. Rangiah Naidu:** Will the Honourable Member for Labour please state the authority (Municipal Committee or Central Public Works Department) responsible for the maintenance in good order of roads within the Shahdara Town, Delhi Province ?

**The Honourable Dr. B. R. Ambedkar:** The Notified Area Committee, Shahdara, is responsible for the maintenance of roads within the Shahdara Town.

# 214

## @ Applications under the Payment of Wages Act against Illegal Deductions, etc., on East Indian and North Western Railways

266. **Mr. Ananga Mohan Dam :** Will the Honourable Member for Labour please state the number of applications from Railway employees for direction under the Payment of Wages Act, for the refund of deductions and for the payment of delayed wages made since March 1938, against the East Indian and North Western Railway Administrations, respectively, together with the result of the disposal of those applications. If not, why not ?

**The Honourable Dr. B. R. Ambedkar:** Attention of the Honourable Member is invited to the reply given to Mr. Muhammad Azhar Ali's unstarred question No. 222 on 30th March 1944.

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* Legislative Assembly Debates (Central), Vol. III of 1944, 4th April 1944, p. 1925.
@ *Ibid.,* p. 1925.

# 215

## * Government Contribution to Indian Labour Federation

31. **Mr. Lalchand Navalrai**: (a) With reference to the reply to my starred question No. 776 given on the 4th April, 1944, will the Honourable the Labour Member be pleased to state whether the sum of Rs. 13,000 given monthly to the Indian Labour Federation has been distributed amongst the President, Vice-Presidents and other office-bearers of the Federation ? If so, in what proportion ?

(b) Has the Honourable Member looked into the audited accounts of the Federation to find out how this money has been utilized ? If not, why not ? If so, does he propose to place the audited accounts on the table of the House from the date the subsidy of Rs. 13,000 **a** month was paid up to this day ?

(c) Is it a fact that this question came up before the International Labour Conference, which met at Philadelphia in the form of the comparative representative character of the Indian Labour Federation and the All-India Trade Union Congress, and what was the decision of the Conference ? What has been decided for the future representation of the Indian Labour on the International Labour Conference to be given to an organization not living on subsidy ?

(d) Have all the funds paid to the Indian Labour Federation been spent on the object for which they were given ? If so, will he give a brief account of the activities of the Federation in this respect ? If any part thereof has not been used for the purpose for which it was granted, will the Honourable Member please take steps to have that much portion refunded to the Government ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) The grant is made to the Indian Federation of Labour as an organisation and is not distributed among its several office bearers.

(b) and (d) (First part) Government are not concerned with the accounts of the Federation, but with the manner in which the Government contribution has been spent by the Federation. They are satisfied that although full and regular accounts are not available for

* Legislative Assembly Debates (Central), Vol. IV of 1944, 2nd November 1944, pp. 111-13.

the earlier period of the grant, this expenditure has achieved the objects, for which it was sanctioned. With effect from the 1st June 1944 the accounts will be prepared in the Federation's office by a qualified accountant, and these will be available to audit in the ordinary way.

(c) The grant was mentioned in an objection by the All-India Trade Union Congress made to the International Labour Office as regards the credentials of the workers' representatives in the Indian delegation. The Credentials Committee, in its report which was adopted by the Conference, asked the Conference to regard the Workers' delegate of India and his advisers at that session of the Conference as duly accredited. The Committee's report did not mention the grant but stated as follows :

> "It does not doubt that the Government of India will continue its endeavours to make provision for the representation of both organisations in an appropriate manner at future sessions of the Conference and ventures to hope that the two organisations will reach an agreement, which will secure the effective participation in the International Labour Organisation of representatives of all sections of the Indian Trade Union movement. The Committee understands that, failing such an agreement, the Indian Workers' delegate to the next session of the Conference will be appointed in agreement with the All-India Trade Union Congress."

(d) (Second part) The monthly grant is spent on publications of printed literature, oral propaganda, visual publicity and the disseminating of reassuring news.

**Mr. T. S. Avinashilingam Chettiar :** May I know the object for which the grant has been given ?

**The Honourable Dr. B. R. Ambedkar :** The answer will be found in my answer to part (d) (second part). It states that the grant is spent on publication of printed literature, oral propaganda, visual publicity and the disseminating of reassuring news about war.

**Mr. T. S. Avinashilingam Chettiar :** Are the Government satisfied that the money given by them has been spent on those items alone ?

**The Honourable Dr. B. R. Ambedkar :** Yes, they are satisfied.

**Mr. T. S. Avinashilingam Chettiar:** May I know if the Government are aware that part of this money has been spent on anti-Congress propaganda ?

**The Honourable Dr. B. R. Ambedkar :** They have no information.

**Mr. T. S. Avinashilingam Chettiar :** Will they inquire into the matter ?

**The Honourable Dr. B. R. Ambedkar :** I have stated in my answer that with effect from the 1st of June, 1944, the accounts will be prepared in the Federation's Office by a qualified accountant and these will be available to audit in the ordinary way.

**Sardar Mangal Singh :** May I know whether this payment is made monthly or yearly ?

**The Honourable Dr. B. R. Ambedkar :** I have no information on this point in front of me. I suppose it is made monthly.

**Sardar Mangal Singh :** Is it paid to the Secretary or the President ?

**The Honourable Dr. B. R. Ambedkar:** To some responsible officer of the organisation concerned.

**Mr. T. S. Avinashilingam Chettiar :** May I know what is the subject of this propaganda and the subjects of the publications issued ?

**The Honourable Dr. B. R. Ambedkar :** It is pro-war propaganda and pro-war literature.

**Mr. Badri Dutt Pande :** Will the Honourable Member be prepared to place the audited accounts on the table of the House ?

**The Honourable Dr. B. R. Ambedkar :** When it is audited, it will be placed on the table and will be available to the Members in the ordinary way.

**Mr. Govind V. Deshmukh :** What is the period covered for which there have been no accounts ?

**The Honourable Dr. B. R. Ambedkar :** For the earlier period; we have not got the exact accounts but we have now made arrangements that the accounts will be kept by an officer of the Audit Department.

**Mr. Lalchand Navalrai:** What was the amount ?

**The Honourable Dr. B. R. Ambedkar :** I am unable to give the figure.

**Mr. Lalchand Navalrai:** Who is responsible for not keeping these accounts in the earlier period—the Honourable Member himself or the Government or they ?

**The Honourable Dr. B. R. Ambedkar :** I have not followed the question.

**Mr Lalchand Navalrai:** The Honourable Member said that for some period no accounts were kept.

**The Honourable Dr. B. R. Ambedkar:** I have not said that no accounts were kept. What I said was :

They are satisfied that, although full and regular accounts are not available for the earlier period of the grant, the money has been spent in the manner in which the Government desired it should be spent.

**Mr. Lalchand Navalrai:** Is the Government satisfied that the money has been spent properly ?

**The Honourable Dr. B. R. Ambedkar :** I have no reason to believe to the contrary.

**Mr. Lalchand Navalrai:** It is not a question of the Honourable Member believing to the contrary.

Mr. **President** (The Honourable Sir Abdur Rahim): The Honourable Member is arguing.

**Mr. Lalchand Navalrai :** What evidence has the Honourable Member got for thinking that the money has been spent properly ?

**The Honourable Dr. B. R. Ambedkar :** I have no reason to believe to the contrary.

**Mr. Lalchand Navalrai:** My question was different. How is the Honourable Member able to believe one way or the other ?

**The Honourable Dr. B. R. Ambedkar :** I have no reason to believe that the amount was not spent regularly.

**Sardar Sant Singh :** May I know if it is only to the satisfaction of the Honourable Member himself or does he take into account that the public has to be satisfied how the money has been spent / How has the Honourable Member satisfied the public ?

**The Honourable Dr. B. R. Ambedkar :** I do not know how I could satisfy the public but the Government which paid the money is satisfied.

**Sardar Sant Singh :** It is the tax payers' money that the Government is paying out. How is the Government going to satisfy the taxpayer that the money has been legitimately spent ?

(No Answer)

**Dr. Sir Zia Uddin Ahmad :** Was the Finance Member satisfied with the correctness of accounts ?

**The Honourable Dr. B. R. Ambedkar :** That question might be addressed to the Honourable the Finance Member.

**Mr. Lalchand Navalrai :** Who is the Secretary and who is the President of this Labour Federation ? Are they paid some salary or money from this fund ?

**The Honourable Dr. B. R. Ambedkar :** It does not arise. If the Honourable Member will give notice, I will find out the information for him.

**Mr. T. S. Avinashilingam Chettiar :** May I raise a point of order ? Sir Zia Uddin Ahmad asked whether the Finance Member was satisfied and the Labour Member replied that the question might be addressed to the Finance Member. The Member in charge ought to know whether the Finance Member was satisfied or not. He must give the reply.

**Mr. President** (The Honourable Sir Abdur Rahim) : He has given the reply. I cannot ask the Honourable Member to reply in a particular way.

# 216

## * Government Contribution to Indian Labour Federation

32. **Mr. Lalchand Navalrai:** (a) With reference to the reply to my starred question No. 776 given on the 4lh April 1944, will the Honourable the Labour Member be pleased to state whether his attention has been drawn to a statement made by the President, Indian Labour Federation at Bombay in December last, at the 1st Annual Session of the Federation, that it was blackest lie that they were receiving Rs. 13,000 per month from the Government ?

(b) Has the Honourable Member's attention been also drawn to **a** statement made by Mr. Jamnadas Mehta, President of the Indian Labour Federation on his departure for Philadephia to attend the International Labour Conference meeting, denying the fact of Rs. 13,000 of the Government's subsidy ?

* Legislative Assembly Debates (Central), Vol. IV of 1944, 2nd November 1944, p. 111.

(c) Is it also a fact that this statement was made in reply to the Honourable the Labour Member's statement in the House on the 4th April 1944, confirming the fact that a sum of Rs. 13,000 was being given to the Indian Labour Federation ?

(d) Is it a fact that the subsidy of Rs. 13,000 is secretly paid to Mr. M. N. Roy ? If so, why is it paid to this particular individual and not to the Indian Labour Federation ?

(e) Will the Honourable Member please make a brief statement as to the measures taken by the Indian Labour Federation during the period it has been in receipt of the monthly subsidy to achieve the object, e.g., to assist the Government in maintaining the labour morale ?

**The Honourable Dr. B. R. Ambedkar:** (a), (b) and (c) Government's attention has been drawn to the statements referred to. From the very beginning the arrangement has been with the Indian Federation of Labour and not with any individual. The attention of the Federation was drawn to Mr. Mehta's statements and in reply the Federation has reaffirmed the fact that the arrangement is with the Federation.

(d) As already stated in reply to the preceding question, the grant is publicly made to the Indian Federation of Labour and not personally to Mr. M. N. Roy.

(e) The attention of the Honourable Member is invited to my reply to the second part of part (d) of the preceding question.

**Mr. Lalchand Navalrai**: The Honourable Member has stated in his reply that the money was given and Mr. Jamnadas Mehta, before he went to Philadephia, made a statement that the money was not given. How does the Honourable Member reconcile this inconsistency ?

**The Honourable Dr. B. R. Ambedkar :** It is not for me to reconcile the two statements.

**Mr. Lalchand Navalrai**: Is the Honourable Member correct or not in having made the statement ?

**The Honourable Dr. B. R. Ambedkar** : It is not for me to answer that question.

**Sardar Sant Singh :** May I know who is telling this blackest lie, either the Federation or the Government of India ?

**The Honourable Dr. B. R. Ambedkar** : My Honourable friend is free to draw any conclusions that he likes.

# 217

## * Removal after the War of Temporary Buildings Constructed in New Delhi

50. Sir F. E. James : (a) Will the Honourable the Labour Member be pleased to state if he is aware :

(i) that Lord Linlithgow in reply to the farewell address presented by the New Delhi Municipal Committee on the 16th October 1943, made the following statement:

You express anxiety about the removal after the war of the many temporary buildings which must be admitted to mar the beauty of the city. As I announced in my recent-speech to the Houses of the Legislature it is the definite policy of the Government of India to remove those buildings as soon as possible. It is the intention that all the temporary buildings that have been constructed for use as offices and hostels, etc., in the neighbourhood of the Secretariat, in the Irwin Stadium, near the Willingdon aerodrome, in the neighbourhood of Connaught Circus and in various blocks, which under the New Delhi Development Scheme had been allotted for other purposes, will be removed as soon as possible after the cessation of hostilities.

(ii) that His Excellency Lord Wavell in reply to the welcome address presented by the New Delhi Municipal Committee on the 30th October 1943, made the following statement:

I can assure you that Her Excellency and I are at one with you in the matter of the removal after the war of temporary buildings. You will recollect that Lord Linlithgow gave you an assurance on behalf of the Government of India.

(b) To what buildings do the intentions of the Government of India as announced by Lord Linlithgow now apply, in view of the construction programme undertaken, since October, 1943 ?

**The Honourable Dr. B. R. Ambedkar:** (a) Yes.

* Legislative Assembly Debates (Central), Vol. IV of 1944, 2nd November 1944, pp. 128-29.

(b) To all buildings that are of temporary construction and that will interfere with the future development of Delhi. It does not apply to the Lodi Road Officers bungalows constructed in 1941 or to most of the clerks quarters constructed recently. In particular it does not refer to the large block of clerks quarters under construction to the south of Lodi Road behind the observatory.

**Sir F. E. James:** May I know, Sir, who will decide whether the temporary buildings now being constructed will or will not interfere with the development of Delhi ?

**The Honourable Dr. B. R. Ambedkar :** Obviously the Government of India.

**Sir F. E. James** : May I also enquire if those buildings which he has referred to in his answer, which arc not included in the term 'temporary' buildings, are, in fact, being constructed on a permanent basis and at a standard of quality which will justify their being retained as permanent buildings ?

**The Honourable Dr. B. R. Ambedkar** : Certainly.

**Mr. Lalchand Navalrai:** May I know from the Honourable Member whether he considers that all the palatial buildings which have been built for Americans also mar the beauty of the city ? Are they temporary, and will they be removed after the cessation of hostilities ?

**The Honourable Dr. B. R. Ambedkar** : That does not arise out of this question.

**Mr. Lalchand Navalrai:** It does. These buildings—such as those built near the Council House—also mar the beauty of the city.

**The Honourable Dr. B. R. Ambedkar :** The question did not refer to the buildings built for American troops.

**Mr. Lalchand Navalrai:** All these buildings arc being constructed by Government.....

**The Honourable Dr. B. R. Ambedkar :** The question does not refer to the buildings built for American troops. Therefore the question does not arise.

**Mr. President** (The Honourable Sir Abdur Rahim) : Next question.

# 218

## * Government Contribution to Associations other than Indian Labour Federation

59. **Mr. Badri Dutt Pande** : (a) With reference to starred question No. 776 of the 4th April 1944, regarding monthly grant of Rs. 13,000 to the Indian Federation of Labour, will the Honourable the Labour Member be pleased to give a reply to my supplementary question as to whether there are other Associations which are getting money like the said Federation ?

(b) What is the Government control over this money to see that it is being utilised for public purposes ?

**The Honourable Dr. B. R. Ambedkar:** (a) No other labour Association has received financial assistance from Government for this purpose. The letter in which assistance from Government in the matter of propaganda for maintaining morale of labour was offered, was addressed both to the All-India Trade Union Congress and the Indian Federation of Labour. In their reply the All-India Trade Union Congress did not ask for any assistance.

(b) I would refer the Honourable Member to the replies already given to questions put by Mr. Lalchand Navalrai.

# 219

## @ Unconstitutional Conduct of Government in Appointing Adjudicator in Trade Dispute between Shahdara (Delhi) Saharanpur Light Railway and its Employees, etc.

**Mr. President** (The Honourable Sir Abdur Rahim): The next motion stands in the name of Mr. Dam. He wishes to discuss "the unconstitutional conduct of the Central Government in the appointment of the adjudicator in the trade dispute between the Administration of

* Legislative Assembly Debates (Central), Vol. IV of 1944, 2nd November 1944, p. 134.

@ *Ibid.,* 3rd November 1944, p. 218.

the Shahdara (Delhi) Saharanpur Light Railway and its employees and further failure of the Central Government in not extending the order on the award of the said Adjudicator to the employees on the East Indian Railway by making cheap grains available at the rates charged by the North Western Railway as made available to the employees on the Shahdara (Delhi) Saharanpur Light Railway".

What is the exact complaint ? Docs he want that there must be some sort of allowances which have been awarded elsewhere ?

**Mr. Ananga Mohan Dam** (Surma Valley *cum* Shillong: Non-Muhammadan): Sir, the rule says that both parties to the dispute should apply for a reference to the court. That was done and the privileges that were extended to the employees of the North Western Railway were not extended to the employees of the East Indian Railway as regards the cheap grains that were made available to them.

**Mr. President** (The Honourable Sir Abdur Rahim) : You want the same privileges to be extended to the employees of the East Indian Railway.

**Mr. Ananga Mohan Dam :** Yes, Sir.

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I oppose the motion and I must say that my Honourable friend is considerably mis-informed as to the facts and the circumstances. This adjudication took place under Rule 81 A.

**Mr. President** (The Honourable Sir Abdur Rahim): The only question before the House is whether the motion is in order.

**The Honourable Dr. B. R. Ambedkar** : I am stating the facts. This adjudication took place under Rule 81A of the Defence of India Rules and the power to appoint an Adjudicator completely vests in the Government of India. Therefore there is nothing unconstitutional in the Government of India appointing an Adjudicator to settle this dispute particularly when the dispute covered a railway which runs in two provinces, namely, the United Provinces and Delhi and **no** single Provincial Government was entitled to appoint an Adjudicator. Therefore, I submit there is nothing unconstitutional in the action taken.

With regard to the second part, my submission is that my Honourable friend is considerably misinformed on the point because the award of the Adjudicator did not exclude any dispute with regard to the other Railway. It was certainly not open to the Government to extend the provisions of the award to a railway which was not the subject-matter

of the dispute at all. The dispute concerned only the Shahdara (Delhi) Saharanpur Light Railway and not the East Indian Railway.

**Mr. President** (The Honourable Sir Abdur Rahim): There was no such demand on behalf of the employees of the East Indian Railway ?

**The Honourable Dr. B. R. Ambedkar** : Certainly not, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): The facts stated by the Honourable Member for Labour show that there is no justification for this motion. Therefore, it is disallowed.

# 220

## * Expenditure on Buildings in Delhi

@ 132. **Dr. Sir Zia Uddin Ahmad** : (a) Will the Honourable the Labour Member please state how much money have the Government of India spent on buildings—permanent and temporary—in Delhi ?

(b) How much was provided by (i)loan, (ii) revenue, and (iii) by land and lease arrangements ?

(c) What would happen to these buildings after the war ?

**The Honourable Dr. B. R. Ambedkar** : (a) The total cost of permanent and temporary, office and residential accommodation, constructed since 1939, is Rs. 6.38 crores.

(b) The information asked for is not readily available.

(c) Permanent buildings will be retained after the war. As regards temporary buildings, it is the intention of Government to demolish them as soon as practicable after the war, as and when the sites are required for the development of Delhi.

# 221

## † Demolition of Temporary Buildings

**@133. Dr. Sir Zia Uddin Ahmad** : (a) Has the Honourable the Labour Member suggested to his Department that the buildings will be constructed in a manner that they may be pulled down soon after the war which will involve additional expenditure of the money ?

* Legislative Assembly Debates (Central), Vol. IV of 1944, 7th November 1944, p. 319.

@ Answer to this question laid on the table, the questioner having exhausted his quota.

† Legislative Assembly Debates (Central), Vol. IV of 1944, 7th November 1944, pp. 319-20.

(b) Are the Government contemplating to demolish temporary buildings ? What would be the cost of demolition and what would be the manner in which these buildings will be pulled down ?

**The Honourable Dr. B, R. Ambedkar** : (a) No. The primary object of the buildings is to meet war requirements and they have been constructed in a manner and on sites most suitable to meet such requirements. This has involved in most cases temporary construction on sites which will be required for other purposes after the war. The actual order of demolition of the buildings must depend on the programme laid down for the utilisation of the sites and the development of Delhi.

(b) Yes. It is not possible at present to estimate the cost of demolition and to lay down the manner in which the buildings will be pulled down.

# 222

## * Accommodation Constructed in Delhi and New Delhi

**@ 135. Sir F. E. James** : Will the Honourable the Labour Member be pleased to state :

(a) for how many officers and staff (i) office, and (ii) residential accommodation has been constructed in Delhi and New Delhi by the Central Public Works Department since the beginning of the War;

(b) the total cost of (i) the temporary, and (ii) the permanent accommodation so erected;

(c) what temporary office and residential accommodation is now under construction and at what estimated cost;

(d) whether any further temporary construction is under consideration, and, if so, for what purpose; and

(e) what plans are being made for the removal of the temporary constructions after the war, and for the disposal and utilisation of the materials employed in their erection ?

**The Honourable Dr. B. R. Ambedkar:** (a) Since the beginning of the war the construction of office accommodation to the extent of

* Legislative Assembly Debates (Central), Vol. IV of 1944, 7th November 1944, pp. 321-22

@ Answer to this question laid on the table, the questioner being absent.

12,24,516 sq. ft. and roofed residential accommodation for 969 officers and 745 clerks has been completed. These figures do not include accommodation provided for the Far Eastern Bureau of the British Ministry of Information, the South East Asia Command and the U.S.A. Forces. Information regarding the number of officers and staff for whom the office accommodation has been constructed is not readily available.

(b) The total costs of office and residential accommodation, constructed since 1939, are (i) Rs. 5.29 crores for temporary accommodation and (ii) Rs. 1.09 crores for permanent accommodation.

(c) A statement containing the required information and also information regarding permanent accommodation under construction is placed on the table of the House.

(d) No further proposal has as yet been approved.

(e) It has been decided to remove the temporary buildings as soon as possible after the War. The question of the disposal and utilisation of the materials is under consideration.

**Statement of temporary and permanent office and residential accommodation now under construction and their estimated cost**

| Description of accommodation | Estimated cost Rs. |
|---|---|
| **I-Temporary—** | |
| 1. Additional residential accommodation for G.H.Q. Signals Officers. | Not readily available. |
| 2. 1000 Single Clerks Quarters at Kitchener Road | 23,41,000 |
| 3. Accommodation for 367 clerks at Asmara and Masawa Lines (by alteration of existing temporary buildings). | |
| 4. 68 married clerks' and 224 single clerks' quarters in Tibbia College, Hostel Compound. | 21,00,000 |
| 5. Accommodation for 200 single officers in existing Government Hostels. | 7,80,000 |
| 6. Hostel for 160 married officers on King Edward Road | Not readily available. |
| 7. Office accommodation of 3,05,043 sq. ft. | 39,65,559 |
| **I-Permanent—** | |
| 1. 50 'D' type and 168 'E' type clerks' quarters on Railway land near Minto Road. | 23,67,386 |
| 2. 2,468 clerks' quarters on Lodhi Road | 2,94,00,000 |
| 3. 228 married clerks' quarters in 12 acres of land in Karol Bagh | 32,00,000 |
| 4. 8 'E' type clerks' quarters in Aram Bagh | 80,000 |
| 5. Three-storeyed flats for 120 clerks on Chitra Gupta Road | 15,00,000 |

# 223

## * Creation of Central Technical Power Board

139. **Mr. K. C. Neogy :** Will the Honourable Member for Labour be pleased to state :

(a) whether Government have any plans for the creation of a Central Technical Power Board;

(b) whether it is a fact that the Chairmanship of this Board has been offered to a former employee of the British Firm of Messrs. Merz and Melellan and that one of the two seals on the Board has been filled by an American Engineer;

(c) whether his attention has been drawn to reports that Government are considering the appointment of Messrs. Merz and Melellan, and the American Bond and Share Company as consulting engineers; and, if so, whether they are true.

(d) whether these two American and British firms, respectively, have acquired any interest in the erection or operation of electrical undertakings in India so far, and what they are;

(e) whether it is a fact that a Committee of leading Power Engineers appointed by Government early this year have reported that India would require electrical plant to the value of Rs. 400 crores, and that Government have accepted this recommendation; and

(f) whether Government would publish full details of the recommendations of the above-mentioned Committee ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) Yes, but in the case of the former he has for the last three years and nine months been in the service of the Government of India as Electrical Commissioner.

(c) Government have seen certain press reports to this effect but they are not correct as they have not yet taken into consideration the question of appointing consulting engineers.

(d) In so far as Messrs. Merz and Melellan are concerned, the reply is in the negative. Government, however, understand that the Electric Bond and Share Company of U.S.A. (and not the American Bond and Share Company) which is a holding company has substantial interest in the Tata Hydro Electric Agencies and the United Eastern Agencies

* Legislative Assembly Debates (Central), Vol. IV of 1944, 7th November 1944, pp. 325-26.

who are Managing Agents for the electric supply undertakings at Karachi, Broach, Nasik-Deolali and Poona.

(e) No.

(f) Steps are being taken to public the proceedings of the Conference.

**Mr. K. C. Neogy:** When may we expect to see these recommendations ?

**The Honourable Dr. B. R. Ambedkar :** I think in about a week's time.

**Mr. Manu Subedar** : With reference to part (e) of the question, can the Honourable Member give us some idea of the figure, if it is not 400 crores ?

**The Honourable Dr. B. R. Ambedkar :** I have not got the facts before me.

# 224

## * Government Contribution to Indian Labour Federation

152. **Prof. N. G.** Ranga : Will the Honourable the Labour Member be pleased to state, in reference to the Labour Department's letter No. L. 1882, dated the 3rd March 1942 in which Mr. M. N. Roy's scheme for propaganda on the Labour Front, costing Rs. 13,000 per mensem was approved :

(a) whether Government have satisfied themselves that the said moneys have been spent according to the scheme;

(b) whether they have received any reports from Mr. M. N. Roy or his Labour Organisation on the manner of their utilisation;

(c) whether Government have drawn any conclusions upon their work and reports, if so, what they are, and whether they will be placed on the table of the House;

(d) whether there is any audit, and, if so, by whom;

(e) whether the audit report at least be placed on the table of the House;

(f) whether similar subsidies arc being granted to any other individuals or organisations; if so, what they are, and what sums are being thus granted, and with what effects; and

(g) whether Government propose to continue these grants; and

(h) whether these grants arc grants-in-aid and, if so, on what basis ?

* Legislative Assembly Debates (Central), Vol. IV of 1944, 7th November 1944, pp. 337-38.

**The Honourable Dr. B. R. Ambedkar**: (a) I would refer the Honourable Member to my reply to part (d) of question No. 31 put by Mr. Lalchand Navalrai.

(b) Yes.

(c) As already stated in reply to an earlier question, Government is satisfied that it has received adequate value for the money spent. The monthly grant is spent on the publication of printed literature, oral propaganda, visual publicity and the dissemination of reassuring news.

(d) and (e) This expenditure like all other expenditure is subject to Government audit and any comments made will appear in the Audit Report.

(f) No.

(g) Yes, it is the intention to continue for the present the grant made to the Federation.

(h) They are not grants-in-aid but represent payment for certain work carried out by the Association at Government's request.

# 225

## * Paucity of Muslims in the Eastern Zone of Central Works Department

**154. Khan Bahadur Shaikh FazI-i-Haq Piracha** : (a) Will the Honourable the Labour Member be pleased to state if it is a fact that the Central Public Works Department has been bifurcated into Eastern and Western Zones ?

(b) Is it a fact that there is under recruitment of Muslims in all grades of service in the Eastern Zone ? If so, have Government taken any steps to redress this grievance ? If so, what ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) In the case of Subordinates, there was an under recruitment of Muslims in the Eastern Zone and over recruitment of Muslims in the Western Zone, if these Zones are considered separate units. But there is no deficiency in the recruitment of Muslims in the Central Public Works Department considered as a whole.

In the case of Temporary Engineers there was over recruitment of Muslims in the Western Zone, and under recruitment in the Eastern Zone due lo the fact that suitable Muslim candidates were not available

* Legislative Assembly Debates (Central), Vol. IV of 1944, 7lh November 1944, p. 339.

in that Zone at the time the recruitment was made. This deficiency in the Eastern Zone will be made good gradually as suitable Muslims become available.

There is no deficiency of Muslims in any other grade either in the Eastern or in the Western Zone.

# 226

## * Paper Annually supplied to Bureau of Public Information, etc.

39. **Bhai Parma Nand** : Will the Honourable Member for Industries and Civil Supplies please state the quantity of paper supplied in each year since 1941 to (i) the Bureau of Public Information, (ii) the Counter-Propaganda Directorate, (iii) Film Publicity, (iv) External Publicity and (v) Foreign Publicity ?

**The Honourable Dr. B. R. Ambedkar** : As the question concerns the Labour Department I am answering it. The information as far as readily available is given in the statement below:—

### Statement

| Indentor | | Tonnage consumed during 1-443 to 31-3-44 | Tonnage consumed during 1-4-44 to 31-8-44 |
|---|---|---|---|
| (i) Bureau of Public Information | ... | 162 | 55 |
| (ii) Counter Propaganda Directorate | ... | 50 | 23 |
| (iii) Film Publicity | ... | Not available | 1 |
| (iv) External Publicity | ... | 18 | Nil |
| (v) Foreign Publicity | ... | 99 | 17 |

*Note.*—(1) The figures prior to 1st April 1944 in the case of Film Publicity and **1st** April 1943 in the case of the rest arc not available. The figures relate to Financial Years.

(2) The figure shown against item No. (iv) above represents the consumption by the British Ministry of Information.

(3) The figures against items (iii) and (v) are in respect of the consumption of "Information Films of India" and "Publicity Officer (Foreign)" respectively.

* Legislative Assembly Debates (Central), Vol. IV of 1944, 7th November 1944, p. 341.

# 227

## * Statistics *re* Unemployed Labour

**221. Mr. Govind V. Deshmukh** : Will the Honourable Member for Labour please state :

(a) if any statistics about unemployment labour in India is available; if so, what the number is, and how it is classified;

(b) if no statistics are available, when the Government intend to collect the same and classify it according to industries and under the heads "educated" and "uneducated";

(c) if the Government arc aware that the United Nations arc taking steps to maintain a high level of employment in their countries; and if so, when and what steps this Government intend to take to keep pace with them ?

**The Honourable Dr. B. R. Ambedkar** : (a) The answer to the first part is in the negative; the latter part does not arise.

(b) Government at present collect statistics about employment in certain industries and they propose to take steps to improve and expedite such statistics. It is not however possible at present to collect statistics about unemployment.

(c) Government are aware that some of United Nations are making plans to sustain a high level of employment even after the war. The reconstruction plans of the Government of India will also take into consideration the necessity of maintaining as high a level of employment as is available.

**Dr. Sir Zia Uddin Ahmad :** May I ask if the Honourable Member is alert that in the post-war reconstruction he should see that every person in India should get an employment ?

**The Honourable Dr. B. R. Ambedkar :** I do not follow the question.

**Dr. Sir Zia Uddin Ahmad :** Will the Honourable Member for Labour in the post-war scheme of reconstruction watch the interests of the labour and see that no person is out of employment ?

**The Honourable Dr. B. R. Ambedkar :** That should be our ideal, I accept.

* Legislative Assembly Debates (Central), Vol. IV of 1944, 10th November 1944, p. 546.

**Mr. Govind V. Deshmukh** : What is the difficulty about the collection of statistics ? I thought I had said set this Department in motion by asking a question about statistics a year ago. May I ask if the work of the collection of statistics has not yet begun ?

**The Honourable Dr. B. R. Ambedkar :** I have just begun and I think we have made a good beginning.

**Mr. Govind V. Deshmukh :** May I ask what had he been doing for the last one year ? When did he make a beginning ?

**The Honourable Dr. B. R. Ambedkar :** We had many other things to do besides this. We have made a good beginning.

**Prof N. G. Ranga :** May I ask if early steps be taken to initiate the gathering of statistics about unemployment in different industries ?

**The Honourable Dr. B. R. Ambedkar :** I have already said that we have initiated the policy of collecting statistics.

**Mr. Govind V. Deshmukh :** May I know if anything has been done in carrying out the promise made to me last time in collecting statistics ?

**The Honourable Dr. B. R. Ambedkar :** I have already said a beginning has been made.

# 228

## * Employment of Women Underground in Mines

239. **Mr. Manu Subedar** : (a) Will the Honourable the Labour Member be pleased to state if it is a fact that the employment of women underground is against the Geneva Convention accepted by the Government of India ?

(b) Is Government aware that no such employment has taken place in the United Kingdom in spite of the stress of war requirement ?

(c) When did Government make this relaxation, and why ?

(d) How long do Government expect to keep it open to employ women in coal mines ?

(e) How many women are so employed ?

* Legislative Assembly Debates (Central), Vol. IV of 1944, 10th November 1944, pp. 559-61.

(f) What is the wage earned by women underground, and how does it compare with the earnings of women employed in other trades ?

(g) What steps have Government taken to safeguard the health and morale of women underground in coal mines ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) Yes.

(c) August 1943 in the case of coalfields in Central Provinces and Berar, November 1943 in the case of Bengal and Bihar and December 1943 in the case of Orissa. Owing to severe shortage of male labour in these coalfields.

(d) The Government are most anxious to re-impose the ban as soon as the production of coal reaches a figure which makes possible such re-imposition.

(e) An accurate figure of the total number of women employed underground cannot be given as this figure varies from day to day. It is however estimated that about 16,000 women are at present employed underground in all coal mines in Bengal, Bihar, Central Provinces and Orissa.

(f) Women employed underground are entitled to the same wages as men on similar work. The wages of women employed underground vary from annas 0-12-0 to annas 0-15-0 a day exclusive of the free rice concession. Up-to-date information in respect of wages of women in other trades is not readily available.

(g) Women are not allowed to be employed underground in galleries which are less than $5^1/_2$ feet in height. They are also entitled to the benefits of the Mines Maternity Benefit Act, 1941. For the purpose of enforcing the provisions of this Act and rules made thereunder, three Inspectors have been appointed. In addition, three Welfare Officers have also been appointed and a Lady Welfare Officer for mines is being appointed.

**Mr. Manu Subedar :** Has the Honourable Member seen the report in the United Kingdom about women in coal mines in which it is stated that no woman should work with any clothing above the waist-line ?

**The Honourable Dr. B. R. Ambedkar :** Yes.

**Mr. Manu Subedar** : **In** view of this fact that neither in the United Kingdom nor in the United Slates of America, nor in any country in

the British Commonwealth of Nations, are women employed underground in spite of the stress of war, will the Honourable Member say why he has been a party to this humiliating practice ?

**The Honourable Dr. B. R. Ambedkar** : On account of the shortage of coal.

**Mr. N. M. Joshi**: The Honourable Member stated that a woman is entitled to the same wage as a man and he said that a woman on an average gets twelve annas. I do not agree with your figure. In the coal-fields to the best of my knowledge a man and woman are paid jointly for joint production. How does the Government of India make sure what portion of the joint earning the man gives to the woman ?

**The Honourable Dr. B. R. Ambedkar** : It is easy to arrive at the figure by distributing the gang wages.

**Mr. N. M. Joshi**: May I again ask the Honourable Member how does he make sure that the woman gets the same wages as the man ?

**The Honourable Dr. B. R. Ambedkar**: I said that a woman is entitled to the same wages as a man for the same work.

**Mr. N. M. Joshi** : How docs he make sure that the man gives to the woman half the wage and does not take more for himself and give loss to the woman.

**The Honourable Dr. B. R. Ambedkar** : I do not know but I feel that the man and woman who work together arc husband and wife and I wonder whether they would be very much interested in exact mathematical distribution of their joint wages.

**Mr. N. M. Joshi** : In view of the fact that the Honourable Member stated that he did not know, may I ask the Government of India to withdraw the statement which they have made that a woman is entitled to equal wage with the man. Is not the Honourable Member proclaiming that the woman is getting equal wage with the man ? Unless he can make sure how the woman can get equal wage with the man, he is not entitled to make a statement which in my judgment, is misleading.

**The Honourable Dr. B. R. Ambedkar** : That is only a quibble on the part of the Honourable Member.

**Shrimati K. Radha Bai Subbarayan** : May I ask whether the Government according to the assurance given by them during the last Session have reviewed the position and satisfied themselves that it is

absolutely necessary for them to continue this cruel custom of employing women in mines ?

**The Honourable Dr. B. R. Ambedkar :** The Government have been reviewing the position.

**Sir Cowasjee Jehangir :** May I know from the Honourable Member whether there is any restriction upon pregnant women going underground ?

**The Honourable Dr. B. R. Ambedkar :** It is very difficult to put any such restriction, because, as my Honourable friend is aware, it is extremely difficult to discover the state of pregnancy in many women.

**Sir Cowasjee Jehangir :** Surely the Honourable Member realises that it is not such a difficult matter. It is done in other trades. Why can't it be done here as well ? Why can't a restriction be placed at least in theory, if not in practice, that no pregnant woman shall go underground ?

**The Honourable Dr. B. R. Ambedkar:** I might assure my Honourable friend that the matter is under active consideration.

**Shrimati K. Radha Bai Subbarayan :** Have the Government made any arrangement for the care of infants and children of these women workers ?

**The Honourable Dr. B. R. Ambedkar :** There has been established a Coal-miners' Welfare Fund and the care of children will be one of **the** duties of this Fund.

**Shrimati K. Radha Bai Subbarayan :** I want to know whether the Government have made any definite arrangement for the care of the infants and children of these women ?

**The Honourable Dr. B. R. Ambedkar:** That is a statutory organisation and one of its obligatory duties would be to look after the infants and children of the women workers.

**Prof. N. G. Ranga :** May I know whether Government have taken effective steps to reduce the number of women working in the mines and increase the number of men to be employed there ?

**The Honourable Dr. B. R. Ambedkar:** That is also under consideration.

**Prof. N. G. Ranga :** Arc any steps being taken ?

**The Honourable Dr. B. R. Ambedkar:** Steps are being contemplated.

**Dr. G. V. Deshmukh :** Besides the statutory provision, do Government know of any arrangement that should be made to safeguard the welfare of these pregnant women and children ?

**The Honourable Dr. B. R. Ambedkar :** I am sure the Honourable Member will allow me to say that intelligence is not the monopoly of himself ?

**Dr. G. V. Deshmukh :** Neither is it the monopoly of the Government.

# 229

## * Shortage of Labour in Coal Mines

240. **Mr. Manu Subedar :** (a) Will the Honourable the Labour Member be pleased to state if it is a fact that shortage of labour in coal mines was due to higher wages offered by Army contractors for the construction of aerodromes, etc. ?

(b) What were the wages in coal mines before the war, and what have been the wages during each of the five years of the war ?

(c) Is it true that the falling off in the output of coal mines was due to the reluctance of coal mine-owners to pay proper wages, having regard to the rise in the cost of living ?

(d) What steps have Government taken to deal with the situation created by (i) shortage of labour, and (ii) shortage of coal ?

**The Honourable Dr. B. R. Ambedkar :** (a) Employment of labour at higher rates by Army contractors was a contributory cause of the shortage of labour in collieries;

(b) A statement@ is laid on the Table of the House.

(c) It is a fact that wages of colliery labour were not for long sufficiently adjusted to meet the increased cost of living. This was one factor in the falling off of the supply of labour.

(d) I invite the attention of the Honourable Member to the replies given in the Legislative Assembly by the Honourable Member for Supply to parts (a), (b), (d), (e) and (f) of Mr. Neogy's starred question No. 17. This describes the various steps taken by Government to deal

* Legislative Assembly Debates (Central), Vol. IV of 1944, 10th November 1944, p. 561.

@ *Statement not included here.*—Ed.

with the situation created by the shortage of labour and the shortage of coal.

The representatives of the industry also agreed at Dhanbad in December 1943 to increase the cash wages of colliery labour and grant concessions in the supply of foodstuffs.

**Mr. Manu Subedar :** What is the increase in wages that the employers are compelled to pay as compared with the prewar rates.

**The Honourable Dr. B. R. Ambedkar :** I am sorry I cannot give the figure but I have got a statement here which is pretty full and I am sure the Honourable Member will find what he wants there.

**Mr. Manu Subedar :** What steps have the Government taken to see that the women forced into the mines in this distressful manner get at least a little more pittance than women working in other trades above ground?

**The Honourable Dr. B. R. Ambedkar :** I can assure my Honourable friend that the wages in coal mines have increased by more than 50 per cent.

**Mr. Manu Subedar :** What steps have the Government taken to coerce the coal mine owners ? The Government pay for coal Rs. 9-8-0 now instead of Rs. 3-8-0 before the war. If you give so much more for coal, have you made any condition that this part of the extra will go to the women workers whom you have disgracefully forced into the mines ?

**The Honourable Dr. B. R. Ambedkar :** I think we have taken all the steps necessary.

**Mr. N. M. Joshi :** Is it not a fact that the Government of India are taking measures to prevent miners being employed by military contractors in order that the miners may be forced to go into mines for work at the risk of being starved ?

**The Honourable Dr. B. R. Ambedkar :** That does not arise out of this question.

**Prof. N. G. Ranga :** Do these 16,000 women possess any special qualification or skill so that they are thus forced to work in the mines, which qualifications could not be acquired by males in this country ?

**The Honourable Dr. B. R. Ambedkar :** They are neither asked nor forced. They are only permitted to offer themselves for their traditional occupation.

**Mr. N. M. Joshi :** May I know whether it is not a fact that the coal production today is less than the prewar period and whether this shortage of coal production is not due to the smallness of the wages paid to the miners ?

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend is entitled to draw his own inference.

# 230

## * Provincial Governments' Contribution to Radical Democratic Party and Indian Labour Federation

252. **Sir Abdul Halim Ghuznavi :** Will the Honourable the Labour Member please state :

(a) whether office bearers or any individual of the Radical Democratic Party or of the Indian Federation of Labour receive monetary help from the different Provincial Governments besides Rs. 13,000 per month from the Central Government;

(b) whether he is aware that these two organisations receive a sum of Rs. 75,000 per month from the Government of the United Provinces;

(c) The object of the Government in giving monetary help to these two organisations only; and

(d) which the other labour organisations are which receive monetary help from the Government ?

**The Honourable Dr. B. R. Ambedkar :** (a) Government has no information. The grant of Rs. 13,000 is made not to the Radical Democratic Party but to the Indian Federation of Labour and not to any individual member or office-bearer of the Federation. The letter in which assistance from Government was offered was addressed both to the All-India Trade Union Congress and the Indian Federation of Labour. In their reply the All-India Trade Union Congress did not ask for any assistance.

* Legislative Assembly Debates (Central), Vol. IV of 1944, 10th November 1944, p. 568.

(b) I am not aware of any grant made to the Federation by the Government of the United Provinces.

(c) This Department is concerned only with the grant to the Indian Federation of Labour. The object of this grant is to enable the Federation to do propaganda to keep up the morale of industrial labour.

(d) There are no other labour organisations receiving monetary help from the Central Government.

# 231

## * Exploratory and Prospecting Licences to British and American Firms *re* Potential Oil Resources

48. **Mr. K. C. Neogy :** (a) Will the Honourable the Labour Member be pleased to lay on the table a statement bringing up-to-date the information supplied in the statement that was laid on the table on the 2nd August, 1943, relating to mineral concessions (including exploratory and prospecting licences) granted to British and American firms in respect of potential oil resources in British India ?

(b) Is it a fact that licences for carrying on geo-physical explorations have been granted by different Provincial Governments. If so, did the Provincial Governments concerned consult the Government of India before granting such licences ?

(c) To which firms have these licences been granted; in respect of which areas, and what are their terms ?

**The Honourable Dr. B. R. Ambedkar :** The information is being collected and a statement will be laid on the table of the House in due course.

# 232

## @ The Indian Trade Unions (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): I do not propose to make the motion that stands in my name.

* Legislative Assembly Debates (Central), Vol. IV of 1944, 10th November 1944, p. 574.
@ *Ibid.,* 14th November 1944, p. 730.

# 233

## * Delhi Electric Supply and Traction Company

419. **Mr. K. C. Neogy :** (a) Will the Honourable the Labour Member be pleased to state whether it is a fact that the Delhi Electric Supply and Traction Company Limited, is a company incorporated outside India ? How long has this Company been operating in the Delhi Province and what is the area served by it ?

(b) How many units of electricity did this Company use for traction purposes, how many units did it sell to consumers in its area of supply during the past twelve months or so, how many units out of its total supply did it generate from its own power station, and how many units did the Company buy from the Delhi Central Electric Power Authority Limited ?

(c) Is it a fact that the Delhi Electric Supply and Traction Company Limited has not increased the supply of current from its generating station to any considerable extent for a number of years, and has been for some time, for all practical purposes, dependent upon the Government power station at present under the control of the Delhi Central Electric Power Authority Limited ?

(d) Is it a fact that the Delhi Central Electric Power Authority Limited is a company sponsored by Government and works on a no-profit basis ?

(e) What is the price that the Delhi Electric Supply and Traction Company Limited pays per unit of electricity supplied by the Delhi Central Electric Power Authority Limited, and what are the different rates at which the Delhi Electric Supply and Traction Company Limited sells electricity to its different classes of customers ?

(f) Is it a fact that the Government have an option to purchase the Delhi Electric Supply and Traction Company Limited in February, 1947, when their present licence expires, provided a notice is served on the Company in February 1945 ? If so, has the question of exercising the option been considered as yet, and with what result ?

(g) What is the amount that the Government will have to pay in case they decide to purchase this undertaking, and to what extent will the

* Legislative Assembly Debates (Central), Vol. V of 1944, 15th November 1944, p. 780

purchase enable the Government to utilise the sterling balance held to the credit of India in England ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes. The Company's licence runs from the 2nd March 1905 : The area of supply now includes;

(i) the whole of the area in the jurisdiction of the Delhi Municipal Committee;

(ii) the whole of the Delhi Civil Station Notified Area;

(iii) the whole of the West Delhi Notified Area; and

(iv) a tract of land in the jurisdiction of the Delhi District Board.

(b) During war-time it is not in the public interest to supply the information.

(c) Yes. The Company's generating plant is now used more or less as a stand-by.

(d) Yes.

(e) A statement is laid on the table.

(f) Yes. The question is now under the consideration of the Chief Commissioner, Delhi.

(g) Under the first proviso to sub-section (1) of section 7 of the Indian Electricity Act, 1910, the price to be paid for the property of the licence, if the option of purchasing were exercised, would be its fair market value at the time of purchase of determined by arbitration. It is not possible to answer the second half of the question till the amount likely to be involved is known.

## STATEMENT

The Delhi Electric Supply and Traction Co. Ltd., are charged at 69 anna per unit of electricity supplied in bulk by the Delhi Central Electric Power Authority Limited.

Rates charged by the Delhi Electric Supply and Traction Co. Ltd.

Lighting and fans—Three annas per unit less 3 pics discount per unit for prompt payment of bills.

Domestic power, (Cooling, water heating, refrigerators, radiators and air conditioning)—One anna per unit nett.

Battery charging—Two annas per unit less ten per cent discount for prompt payment of bills.

Industrial—

A Consumer with connected load up to 75 K.V.A.

Restricted hour supply—1.1 anna per unit less a discount of .1 anna per unit for prompt payment of bills.

Unrestricted hour supply—Rates as for Restricted hour supply and in addition a charge of Rs. 5 per H. P. per month less ten per cent discount for prompt payment of bills.

Special rates are quoted.

**Mr. K. C. Neogy :** Is the Honourable Member aware that a few years ago, the Delhi Municipal Committee applied for a licence for the purpose of enabling itself to supply electricity in the area concerned or at least part of it and that as a result of that application, an enquiry was held into the position of this company by a Committee over which perhaps Sir James Pitkeathly presided or the Electrical Adviser to the Government of Bengal, presided ? Is the Honourable Member in a position to give this House an idea about the comments made by this Committee or these individuals, in regard to the affairs of this company ?

**The Honourable Dr. B. R. Ambedkar :** If the Honourable Member will put down a specific question, I shall certainly be glad to give the information.

**Mr. K. C. Neogy :** Has the Honourable Member tried to ascertain the total amount of profits earned by this Company ? Has the attention of the Honourable Member been drawn to a statement in a recent article in the Hindustan Times in which it has been stated that the total profits earned by the company was already about five times its capital?

**The Honourable Dr. B. R. Ambedkar :** Yes, Sir, I have noticed.

**Mr. K. C. Neogy :** Is the Honourable Member in a position to say whether that is a fact or not ?

**The Honourable Dr. B. R. Ambedkar :** I cannot say anything about that now. If the Honourable Member wants information, he will give notice of a question.

**Mr. K. C. Neogy :** With reference to part (b) May I know the proportion of units actually produced by this company to the units purchased by the company at cost price from the Government undertakings ?

**The Honourable Dr. B. R. Ambedkar :** I have already answered that during war time, it is not in the public interest to give the information.

**Mr. K. C. Neogy :** I know. Is the Honourable Member in a position to deny that it is a very small proportion of the units actually distributed by this company that is produced by it ?

**The Honourable Dr. B. R. Ambedkar :** That, I am afraid, will be circumventing the provisions of the Act which prohibits me from giving the information.

**Mr. K. C. Neogy :** I did not know that the Honourable Member was prevented even from giving the proportion. However, I give up that point. As regards the point that the matter is under consideration of the Chief Commissioner having regard to the important policy involved do Government propose to direct the Chief Commissioner in regard to coming to any particular conclusion, or do the Government of India merely propose to carry out, or rather endorse, the decision of the Chief Commissioner in this behalf ?

**The Honourable Dr. B. R. Ambedkar :** The Government of India themselves are considering this matter.

**Mr. K. C. Neogy :** With regard to part (f), having regard to the shortness of time during which notice is to be served, if at all, will the Government come to a very quick decision in the matter ? Will the Government be pleased to take this House into their confidence at the earliest possible opportunity in regard to this case ?

**The Honourable Dr. B. R. Ambedkar :** I can assure my Honourable friend that Government will certainly come to its own conclusions before the time expires.

**Mr. K. C. Neogy :** Having regard to the fact that this Legislature is virtually in the position of a Provincial Legislature so far as Delhi Province is concerned, does the Honourable Member propose to let this House have an opportunity to consider and discuss this matter ?

**The Honourable Dr. B. R. Ambedkar :** I shall bear the Honourable Member's suggestion in mind.

**Mr. R. R. Gupta :** Do the Government propose to increase the capacity of the electric power house situated in New Delhi under the Government control ?

**The Honourable Dr. B. R. Ambedkar :** That question does not arise. I cannot give an answer.

# 234

## * Refusal of Facilities to All-India Womens Conference for Studying the Condition of Women in Coal Mines

579. **Mrs. Renuka Ray :** Will the Honourable the Labour Member please state:

(a) if it is a fact that the All-India Women's Conference approached the Government for facilities to send an investigation Committee for an impartial studying of women in coal mines and that on the 3rd May, the Government of India informed the aforesaid organization that there was no objection against such investigation, and the time was not suitable at present; and

(b) if it is a fact that subsequently on a request from the All-India Women's Conference on the 26th May, the Government of India again refused the facilities and informed them that Government would let them know when the time was suitable and that upto now the All-India Women's Conference has not heard from the Government; what the causes are which led to this course of action ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) the reply to the first part of the question is in the affirmative. The reasons were explained in the Government of India's letters to the President of the Conference.

**Mr. K. C. Neogy :** May I know the reasons which led the Government to pass the order referred to in part (b) ?

**The Honourable Dr. B. R. Ambedkar :** The time was not suitable.

**Mr. N. M. Joshi :** What does the Government mean by saying that the time was not suitable ?

**The Honourable Dr. B. R. Ambedkar :** I think the word 'suitable' is a very simple word. Everybody can understand it. I do not think I can further simplify it.

**Mrs. Renuka Ray :** Is it a fact that the Government allowed the Regge and the Health Survey Committees to go and investigate during

* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, pp. 1000-01.

the same period ? Is it a fact that the All-India Women's organisation has not been given similar permission till now ? If so, what is the basis for such differentiation ? Why is it that a responsible body like the All-India Women's organisation who are interested in the welfare of women has not been allowed ?

**The Honourable Dr. B. R. Ambedkar :** They are official bodies which were allowed.

**Mrs. Renuka Ray :** Are not the Members of the Legislature on that Committee ?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is arguing.

**Mr. T. S. Avinashilingam Chettiar :** Why are women stopped from going into the mines and investigating ? Why should Government consider that the time is not suitable only in the case of Women's organisation ?

**The Honourable Dr. B. R. Ambedkar :** The Honourable Member can draw his own inference.

**Mr. N. M. Joshi :** May I ask whether it is not a fact that Government do not consider the time suitable because the conditions in the mines are so bad that they do not like investigation being made by an impartial body ?

**The Honourable Dr. B. R. Ambedkar :** The Honourable Member is at liberty to draw his own inferences.

**Mr. President** (The Honourable Sir Abdur Rahim): Next question.

# 235

## * Shortage of Labour in Coal Mines due to Malaria

580. **Mrs. Renuka Ray :** Will the Honourable the Labour Member please state:

(a) if it is a fact that the shortage of labour in coal mines, particularly during the months of August and September was due to a large proportion of mining labour suffering from malaria and that no adequate treatment was possible due to the inadequate supply of quinine; and

* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, pp. 1001-02.

(b) if the Honourable Member is aware of the fact that mining labour is suffering so acutely from the effects of diseases and malnutrition that this has seriously affected their efficiency; if so, what steps taken to remedy this are ?

**The Honourable Dr. B. R. Ambedkar :** (a) The coal-mining labour is not immune to the seasonal incidence of malaria, but it is not correct to say that a large proportion of this labour suffered from the disease during August and September. The incidence of the disease per thousand of the average daily labour force employed in the Jharia Coalfield was 81 and 80 for the month of August in 1943 and 1944 respectively and 111 and 74 for the month of September in 1943 and 1944 respectively. Every effort is made to provide adequate facilities for treatment and sufficient supplies of quinine and its substitutes.

(b) It cannot be said that mining labour is suffering acutely from mal-nutrition. As regards their health all collieries employing 30 persons or more are required to maintain a dispensary and distribute medicines through their doctors. Coal Mines Labour Welfare Fund has recently been set up from which measures for prevention of disease in the mining population and improvement of medical facilities will be financed.

**Mr. K. C. Neogy :** With regard to the point about mal-nutrition, will the Honourable Member please make a statement as to whether it is not a fact and an admitted fact that apart from the shortage of labour in collieries, individual output of work has gone down due to malnutrition ?

**The Honourable Dr. B. R. Ambedkar :** I am not certain about the facts mentioned by my Honourable friend.

**Mr. K. C. Neogy :** Will the Honourable Member make an enquiry from the Honourable the Supply Member, who, I understand made a statement to this effect on a recent occasion when he met one of the Chambers of Commerce.

**The Honourable Dr. B. R. Ambedkar :** There is no need for an enquiry as the Honourable Member seems to be in possession of the fact.

**Mr. K. C. Neogy :** Will the Honourable Member convince himself about the truth of this position ?

**The Honourable Dr. B. R. Ambedkar :** Yes, I know there has been some fall in production, but I understood it was entirely due to the fact that there was lack of machinery.

**Mrs. Renuka Ray :** As the Honourable Member has told us about dispensaries in the different mines, will he kindly investigate and find out what the medical facilities are and how far the dispensaries are working and giving medicines in the mines at Ranigunj and Jharia ? My information is that some of them cannot work because there are not enough medicines.

**The Honourable Dr. B. R. Ambedkar :** As I said, it was because in the opinion of Government the facilities were not sufficient that Government established the coal Mines Labour Welfare Fund.

# 236

## * Cases of Employment of Children on Underground Work in Mines

581. **Mrs. Renuka Ray :** Will the Honourable the Labour Member please state:

(a) if he is aware of the fact that there are a growing number of cases of violation of the Act prohibiting children in underground work in mines ?

(b) if the answer is in the affirmative, what the steps taken to ensure the enforcement of the Act are; and

(c) if the answer is in the negative, will the Honourable Member kindly investigate the matter and take effective steps to put a stop to any such illegal practice that may prevail ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) Does not arise.

(c) Inspections are regularly made by the Officers of the Department of Mines to enforce the provisions of the Indian Mines Act regarding the prohibition of employment of children in mines and effective steps will be taken as a matter of course if any such illegal practice prevails anywhere.

* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, p. 1003.

**Mrs. Renuka Ray :** Is the Honourable Member aware that there is a growing number of cases of violation in some of the mines in Jharia and Ranigunj coalfields and that children of 14 and 15 are signed up as adults and actually go down the mines ? And what does the Honourable Member propose to do about it ?

**The Honourable Dr. B. R. Ambedkar :** If the Honourable Member has any specific cases having reference to specific mines and will bring them to my notice, I will certainly take the matter up.

# 237

## * Underground Work in Mines by Pregnant Women

582. **Mrs. Renuka Ray :** Will the Honourable the Labour Member please state:

(a) if he is aware of the fact that pregnant women usually work underground in mines until the ninth month and again a fortnight after child birth, and that in mines where maternity benefits are not given they work even longer ?

(b) the steps Government have taken to stop pregnant women from working underground;

(c) if it is a fact that there have been a certain number of accidents to women working underground within the last year and there is no way of ascertaining how many of these accidents have occurred to pregnant women; and

(d) if it is a fact that maternity benefits are given only in some mines; what steps Government intend to take to make maternity benefits compulsory for all women working in mining areas ?

**The Honourable Dr. B. R. Ambedkar :** (a) I am not aware of the basis for this allegation. Under section 3 of the Mines Maternity Benefit Act, employment of a woman for a period of four weeks following her confinement is prohibited. Further a woman is entitled to leave of absence for a period of one month before she expects to be delivered of a child. Inspections under this Act are regularly made by the Labour

* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, p. 1003.

Inspectors under the Chief Inspector of Mines, all of whom are doctors, with a view to enforcing the provisions of the Act and the rules made thereunder.

(b) As already stated, pregnant women are entitled to leave of absence for a period of one month before the date of delivery; and the object of the employment of Labour Inspectors under the Chief Inspector of Mines is to make known to these women their rights under the Act and to assist them in securing the benefits of that Act.

(c) Yes, but no information of any of these women being pregnant has been received. During enquiries following accidents, the evidence of the colliery doctor is invariably recorded and if a woman were pregnant her condition would be disclosed and recorded.

(d) The Mines Maternity Benefit Act 1941 applies to all mines in British India except:

(i) certain stone crushing plants forming part of mines in the province of Bombay;

(ii) iron ore mines worked without mechanical power, the whole of the ore from which is supplied locally to village smelters and blacksmiths; and

(iii) those mines in which excavation is being carried out for prospecting purposes only, provided not more than 20 persons are employed in or about such excavation and subject to certain other conditions.

It is not considered necessary to make maternity benefits compulsory in these small mines.

**Mr. Lalchand Navalrai :** Have there actually been any cases of pregnant women having suffered ?

**The Honourable Dr. B. R. Ambedkar :** Yes, there have been some.

**Mr. Lalchand Navalrai:** When ?

**The Honourable Dr. B. R. Ambedkar :** Since they started working. These accidents are often occurring in the coal mines.

**Mrs. Renuka Ray :** Will the Honourable Member tell us whether the best way of preventing pregnant women from going down the mines would not be to restore the ban on women working underground ?

**The Honourable Dr. B. R. Ambedkar :** I entirely agree, provided the circumstances were propitious.

# 238

## * Restoration of Ban on Women Working Underground in Coal Mines

583. **Mrs. Renuka Ray :** Will the Honourable the Labour Member please state :

(a) when the Government of India intend to restore the ban on women working underground in coal mines in view of their former promise; and

(b) how far the employment of women underground has increased coal raisings ?

**The Honourable Dr. B. R. Ambedkar :** (a) The Government are most anxious to re-impose the ban as soon as production of coal reaches a figure which makes possible such re-imposition.

(b) Coal raisings have increased appreciably as a result of the employment of women underground, but no exact figures can be given as other factors are in operation at the same time.

**Mrs. Renuka Ray :** Is the Honourable Member aware that a very infinitessimal proportion represents the increased raisings helped by women working underground and does he consider that the violation of an international code and moral convention is compensated by the increased raisings that is due to women working in the mines even from the point of view increased production ?

**The Honourable Dr. B. R. Ambedkar :** My information is to the contrary.

**Mr. Govind V. Deshmukh :** May I know what is the target of production aimed at by Government in order to restore this ban ?

**The Honourable Dr. B. R. Ambedkar :** I am unable to say.

**Mrs. Renuka Ray :** Is the Honourable Member aware that the woman acts as loader underground and the man as cutter, and so the rate of progress of each tub is much slower because a woman cannot act as cutter, and the result is that the man has to rest, whereas the rate would be much faster.....

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is making a speech.

* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, p. 1004.

**Mrs. Renuka Ray :** I should like to know if the Labour Member does not consider that the rate of progress of the work per tub is much slower because women work as loaders and cannot work as cutters.

**The Honourable Dr. B. R. Ambedkar :** I am glad to have that information, but I am passing no opinion either on the reliability of the statement or the feasibility of the suggestion.

# 239

## * Post of Labour Welfare Officer for Government of India Presses

586. **Maulvi Muhammad Abdul Ghani :** Will the Honourable the Labour Member be pleased to state :

(a) whether the post of Labour Welfare Officer for the Government of India presses was advertised; if so, when and how;

(b) whether any selection has been made;

(c) whether it is a fact that the post was reserved for a Muslim;

(d) the number of persons who have been appointed as Assistant Labour Welfare Officers during the last two years; and

(e) what their academic qualifications are and how many of them are Muslims ?

**The Honourable Dr. B. R. Ambedkar :** (a) One posts of Labour Welfare Officer for the Government of India Presses has been sanctioned and it was advertised by the Federal Public Service Commission in the approved newspapers in June last. Applications were due to reach the office of the Commission by the 10th July;

(b) and (c) Yes.

(d) One lady Assistant Welfare Adviser was appointed directly under Labour Department.

(e) She is M.A., M. Litt., and is a Hindu.

**Prof. N. G. Ranga:** Are these officers appointed for the Central Government Presses or also for the Provincial Government Presses ?

**The Honourable Dr. B. R. Ambedkar :** For the Central Government Presses.

* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, pp. 1005-06.

# 240

## * Statistics *re* Private Newspaper Owners and Their Employees

600. **Mr. Kailash Bihari Lall :** Will the Honourable Member for Labour be pleased to state :

(a) if the Government have obtained any statistics about the number of private newspaper owners and the persons employed by them; and

(b) if the answer to (a) be in the negative, do the Government propose to obtain the statistics with a view to afford relief to such employees with regard to (i) rules of leave, (ii) list of holidays, (iii) grades of salaries and (iv) dearness allowance ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) The Labour Investigation Committee is collecting general information regarding the terms and conditions of employees in printing presses. The question as to what additional information should be collected and as to the feasibility of legislating to govern the conditions of employees of newspaper organisations will be considered in due course.

**Mr. Kailash Bihari Lall :** May I know if Government can at least obtain the figures regarding Delhi Printing Press ?

**The Honourable Dr. B. R. Ambedkar :** I think it would be better to wait in order to know what the Labour Investigation Committee is doing in this matter.

**Mr. Kailash Bihari Lall :** Delhi is a small area of which the Honourable Member can get.....

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member is arguing. Next question.

# 241

## @ Extensions of Service in Government of India Press, Aligarh

601. **Qazi Muhammad Ahmad Kazmi :** Will the Honourable the Labour Member be pleased to state :

(a) whether it is a fact that extension after extension in service is allowed in many cases in the Government of India Press, Aligarh

* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, p. 1013.

@ *Ibid.* pp. 1013-14.

(b) whether it is a fact that every year the Manager of that Press recommends a lot of cases of extension to the Controller of Printing and Stationery in India;

(c) whether it is a fact that fully trained and qualified men are available in that Press to work in the places of these men whose extension has been recommended by the Manager and who are on the verge of retirement;

(d) whether it is a fact that the claims of some of the qualified men for the posts of these retiring hands have been blocked due to these recommendations for extension in service; and

(e) if the answers to (a) to (d) be in the affirmative, has the Honourable Member considered the advisability of issuing instructions to the effect that no further extension be granted in future under any circumstances ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b) No. Only a few cases are recommended.

(c) In some cases qualified men are available, in others not.

(d) No.

(e) Does not arise.

**Qazi Muhammad Ahmad Kazmi :** Do I understand that the answer to part (a) of the question is in the negative, and he has not been recommending any extensions whatsoever?

**The Honourable Dr. B. R. Ambedkar :** I said, only a few cases are recommended.

**Qazi Muhammad Ahmad Kazmi :** Has the General Manager been granting any extensions, or not ?

**The Honourable Dr. B. R. Ambedkar :** The Manager has been granting extensions.

**Qazi Muhammad Ahmad Kazmi :** May I know why these extensions are granted when qualified persons are available.

**The Honourable Dr. B. R. Ambedkar :** I am not prepared to admit that extensions are granted notwithstanding that qualified persons are available.

**Qazi Muhammad Ahmad Kazmi :** I understood the Honourable Member to say that sometimes extensions are granted even when qualified persons are available.

**The Honourable Dr. B. R. Ambedkar :** Yes, in a very few cases.

**Qazi Muhammad Ahmad Kazmi :** May I know the reason for which extensions are granted to people even under those circumstances ?

**The Honourable Dr. B. R. Ambedkar :** I understand that the general reason why these extensions are granted in the cases referred to by my Honourable friend are entirely governed by the fact that some people lose their pensions if they are not given a year or two's extension.

**Qazi Muhammad Ahmad Kazmi :** Is that the only reason, or is there some other reason also ?

**The Honourable Dr. B. R. Ambedkar :** I am not aware of any other reason.

**Qazi Muhammad Ahmad Kazmi :** Will the Honourable Member be pleased to enquire whether the extensions that were given in the cases referred to were solely for this reason or for some other reason ?

**The Honourable Dr. B. R. Ambedkar :** I have made enquiries and that is the information I have.

**Maulvi Muhammad Abdul Ghani :** May I know the names of persons included in those 'few cases' ?

**The Honourable Dr. B. R. Ambedkar :** I have no names of persons, but I have a certain number of cases before me.

**Maulvi Muhammad Abdul Ghani :** What community do they belong to ?

(No reply).

**Mr. President** (The Honourable Sir Abdur Rahim): Next question.

# 242

## * Time Scale of Pay for Binders and Warehousemen of Government of India Press, New Delhi

602. **Qazi Muhammad Ahmad Kazmi :** Will the Honourable the Labour Member be pleased to state :

(a) whether it is a fact that the Government of India has sanctioned the Time Scale of pay for which the Binders and

* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, pp. 1014-15.

warehousemen of the Government of India Press, New Delhi, had been representing;

(b) whether it is a fact that these people have been representing their case for this purpose for the last fifteen years approximately;

(c) whether it is a fact that some warehousemen who have been serving for the last fifteen and twenty years and whose pay is only Rs. 25 per month at present, are not benefited at all by this Time Scale of pay at present;

(d) whether it is a fact that not a single increment has been sanctioned to any man, immediately; and

(e) if the answers to (a) to (d) be in the affirmative, will the Honourable Member please consider the advisability of sanctioning at least one increment to all Binders and warehousemen just at the time of introducing the Time Scale of pay so that some immediate relief may be gained by these men who have been waiting for the last so many years ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) Yes, for some time past.

(c) Yes, but they will be benefited as soon as they earn their next increment.

(d) Yes, because no increment has been yet earned since the 22nd June 1944 when the Time Scale came into force.

(e) No action as proposed is necessary, as the men will earn their increments next year.

**Qazi Muhammad Ahmad Kazmi :** Will the Honourable Member be pleased to consider that some persons will be on the verge of retirement and will not be able to get any benefit from this time-scale. Isn't it proper in such case for the Government to give them some increment in lieu of their past services ?

**The Honourable Dr. B. R. Ambedkar :** I do not think it is prudent to alter the law in order to meet hard cases!

# 243

## * Development of Mahanadi Projects in Orissa

607. **Prof. N. G. Ranga :** Will the Honourable the Labour Member be pleased to state :

(a) if he is aware that Sir M. Visweewaraya Committee's report on Mahanadi to stop the ravages of floods in Orissa has suggested the development of Mahanadi projects and a system of irrigation canals to irrigate huge areas of land in Cuttack, Sambalpore, Puri and Balasore Districts;

(b) if such a scheme was estimated to cost about rupees four crores in 1938-39; and

(c) whether Government of India will consider the advisability of taking the initiative and developing that scheme, in view of the financial disabilities of the subvention province of Orissa and also of the great need of India for more rice production ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b) No. Information on the subject has been called for.

(c) Government cannot give such an assurance at this stage without a careful examination of the scheme.

**Prof. N. G. Ranga :** Is Government prepared to examine this scheme carefully ?

**The Honourable Dr. B. R. Ambedkar :** Yes.

**Prof. N. G. Ranga :** Will it form part of the investigations of one of the various sub-committees or the National Planning structure of committees ?

**The Honourable Dr. B. R. Ambedkar :** I cannot say as regards the procedure that Government should adopt. But I shall examine the thing.

**Prof. N. G. Ranga :** Thank you.

# 244

## @ Arrangements for Supply of Rice to Colliery Labour in Bihar

611. **Mr. K. C. Neogy :** (a) Will the Honourable Member for Labour be pleased to explain in detail the arrangements that are in operation

* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, p. 1018.

@ *Ibid.,* p. 1021.

in the province of Bihar in the matter of supplying rice to colliery labour ?

(b) Has the Honourable Member received any complaint that the Bihar authorities are charging some of the collieries prices for rice to be supplied to their labour force which are higher than the control prices and that the quality of rice supplies is also bad ? If so, what are the different points raised in these complaints, and what are the ascertained facts relating thereto ?

(c) How does the system in Bihar in the matter differ from the system introduced in the Bengal collieries ?

(d) What action do Government propose to take to remove the complaints made on behalf of a section of the Bihar collieries in this matter ?

**The Honourable Dr. B. R. Ambedkar :** (a) Under an order issued by the Additional Deputy Commissioner, Dhanbad, under the Defence of India Rules dated the 20th April 1944, every colliery worker is entitled to buy from the colliery shop at prices equal to the controlled prices fixed by the Additional Deputy Commissioner, an amount of foodgrains not exceeding a total of four seers of foodgrains per week (of which not more than two seers shall be rice) for himself and each adult dependent, and two seers (of which not more than one seer shall be rice) for each minor dependent. In additional every heavy worker is entitled to half a seer of free ration in rice for each attendance; but miners who prefer may draw the whole or some part of the free ration in other grains.

(b) The reply to the first part is in the affirmative. The facts are that the Bihar Government have charged the Colliery Associations the actual cost of rice supplied up to the 1st November 1944. The bulk of these supplies originated in Nepal where the Bihar government had to purchase above their control rate. Consequently supplies of Nepal rice have been made to the Colliery Associations at approximately Rs. 1—8—0 above the local wholesale control rate. From the 1st November 1944, the Bihar Government have decided to charge the local wholesale control rate plus four annas administrative charge and to bear the resulting loss. The facts relating to the complaint regarding quality are being ascertain.

(c) In the Bengal collieries there is no rationing system but employers of more than 1,000 workers must buy their supplies of grains from the Civil Supplies Department of the Government. In Bihar every colliery is required to buy through the Rice Administrator, Indian Mining Association or the Secretary Joint Supply Pool.

(d) The Honourable Member's attention is invited to the answer given to clause (b) of the question.

# 245

## * Contract for Construction of Clerks' Quarters at Lodi Road, Delhi

612. **Shri K. B. Jinaraja Hegde :** Will the Honourable the Labour Member be pleased to state :

(a) whether the contract for the construction of clerks' quarters at Lodi Road for about Rs. 28,60,000 was given to a higher tenderer instead of lower tenderer who quoted 11.25 below the schedule of rates;

(b) if the answer to (a) is in the affirmative what was the total excess amount the Government had to pay over the lowest tenderer,

(c) if it is a fact that the same firm was given another contract for a similar construction at the very place for about Rs. 50,00,000 at 5 per cent, above the schedule of rates, rejecting the lowest tenderer; and

(d) were the above tenders examined by the Department before they were accepted ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) Does not arise.

(c) No. A portion of the Lodi Road project was given to this firm as its tender rate was low in comparison with that of others.

(d) The tenders were examined and accepted by the Chief Engineer, Central Public Works Department who is the competent authority in such cases.

* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, pp. 1021-22.

# 246

## * Prescribing Set Form of Receipt for Rent under Delhi Rent Control Ordinance

**625. Mr. Kailash Bihari Lall :** Will the Honourable the Labour Member be pleased to state if the Government propose to prescribe a set form of receipt to be compulsorily granted by the landlord to the tenants under the Delhi Rent Control Ordinance, 1944 ?

**The Honourable Dr. B. R. Ambedkar :** Government have the matter under examination.

# 247

## @ Increase in Cost of Living in Certain Cities

100. **Mr. Badri Dutt Pande :** Will the Honourable the Labour Member please state:

(a) if it is a fact that the living index has shown an increase in the cost of living by 182 per cent in certain cities; if not, what the fact is;

(b) if it is a fact that the wages of Railway servants working in those cities have not been raised by 182 per cent; if not, what the correct fact is; and

(c) if the Government propose to increase the wages of the employees in those cities where the cost of living has arisen by 182 per cent accordingly; if not, why not;

**The Honourable Dr. B. R. Ambedkar :** (a) Government are aware that the published cost of living indexes have risen in some towns by 182 or more over the index of August, 1939.

(b) The answer to the first part is in the affirmative. In regard to the second, Railway workers are compensated for increased cost of living by relief in cash and concessions in kind which together are considered adequate to meet the needs and are adjusted from time to time as the situation demands.

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* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, p. 1027.

@ *Ibid.* p. 1038.

(c) The answer to the first part is in the negative. As regards the second part, the policy of Government is not to make any comprehensive revisions in scales of pay during the present unstable economic conditions but to meet increases in the cost of living either by dearness allowance or by relief in kind or by both.

# 248

## * Requests for Adjudication of Railway Trade Disputes

101. **Mr. Badri Dutt Pande :** Will the Honourable the Labour Member please state:

(a) the number of requests for adjudication of trade disputes between the Railway Administrations and its employees recorded during the preceding five years; and

(b) how those requests were disposed of ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). I place on the table a statement showing the number of requests made for settlement of trade disputes between Railway Administrations and their employees during the past five years under the Trade Disputes Act or Rule 81A of the Defence of India Rules, and action taken on them.

# 249

## @ Procedure *re* Appointment of Adjudicator of Trade Disputes

102. **Mr. Badri Dutt Pande :** Will the Honourable the Labour Member please state :

(a) the rules governing the proceedings before an adjudicator is appointed under Rule 81 of the Defence of India Act Rules;

(b) the qualifications prescribed for the appointment of an adjudicator for the trade disputes between the employer and its employees; and

* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, p. 1038.
@ *Ibid.,* p. 1040.

***Requests for Boards of Conciliation or Courts of Enquiry under the Trade Disputes Act or adjudication under Defence of India Rule 81A in connection with trade dispute between the Railway Administrations and their employees***

| Serial No. | Year | From whom the request was received | Nature of of request | Action taken |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
| 1 | 1939 | Certain travelling Ticket Inspectors on the E. I. Rly. | Appointment of a Court of Enquiry under section 3 of the Trade Disputes Act to consider the propriety of withholding a memorial addressed to His Excellency the Viceroy. | Rejected (The Trade Dispute Act did not apply as the matter was not a 'trade dispute' for the purpose of the Act). |
| 2 | 1940 | The employees of the G.I.P. Railway. | Appointment of a Court of Enquiry under section 3 of the Trade Disputes Act to investigate the question of grant of war dearness allowance. | Accepted. |
| 3 | 1943 | All India Railwaymen's Federation, Mylapore, Madras. | Appointment of an adjudicator under Defence of India Rule 81A on the question of dearness allowance for Railway. | Rejected. |
| 4 | 1943 | The G.I.P. Railwaymen's Union, Bombay. | Do. Do. | Do. |
| 5 | 1944 | The N.W.R. Employee Union, Karachi. | Do. Do. | Do. |
| 6 | 1944 | G.I.P. Railwaymen's Union. | Do. Do. | Do. |
| 7 | 1944 | B.B. & C.I. Railwaymen's Union, Bombay. | Do. Do. | Under consideration of Government. |

*See* question No. 101 at Sr. No. 249.

(c) on whose report or request an adjudicator under Rule 81 of the Defence of India Act Rules is to be appointed ?

**The Honourable Dr. B. R. Ambedkar :** (a) The Honourable Member is presumably referring to rule 81A of the Defence of India Rules. There are no rules governing the proceedings before an adjudicator.

(b) No qualifications have been prescribed and it is not possible to do so because action under Rule 81A is of an urgent nature and it is not always possible readily to obtain persons of any particular qualifications in different parts of the country. The general rule is to appoint the most suitable person available in all circumstances of the case. Persons so far appointed include High Court Judges, District and Sessions Judges, Chief Presidency Magistrates, Labour Commissioners and their Assistants, Workmen Compensation Commissioners and War Injuries Claims Officers.

(c) An adjudicator may be appointed at the request of either or both the parties, or on the initiative of Government.

# 250

## * Results of Propaganda by Indian Labour Federation

103. **Mr. Badri Dutt Pande :** Will the Honourable the Labour Member please state the results achieved from the propaganda by the Federation of Labour from the subsidy of Rs. 13,000 a month ?

**The Honourable Dr. B. R. Ambedkar :** I would refer the Honourable Member to the reply given by me on the 7th November 1944 to part (c) of Prof. Ranga's starred question No. 152.

# 251

## @ Appointment of Committee of Enquiry *re* Mica Industry of India

**Mr. Satya Narayan Sinha :** (a) Will the Honourable the Labour Member be pleased to state if it is a fact that a Committee of Enquiry by the Central Government regarding Mica Industry of Bihar has been appointed or is going to be appointed.

* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, p. 1040.

@ *Ibid.,* p. 1041.

(b) Is the Honourable Member aware that a constitution of the said enquiry is beyond the jurisdiction of the Federal Legislative list ?

(c) If the reply be in the affirmative will the Honourable Member be pleased to state the reason for such encroachment upon the Provincial Legislative List as set out in the Seventh Schedule to the Government of India Act, 1935.

**The Honourable Dr. B. R. Ambedkar :** (a) Yes, the Committee has been appointed.

(b) and (c) In appointing the Committee the Central Government proceeded on the view that no such encroachment was involved, but the Honourable Member is of course free to form his own opinion.

**Mr. Satya Narayan Sinha :** Will the Honourable Member please state under what section of the Government of India Act has the action been taken ?

**Mr. President** (The Honourable Sir Abdur Rahim): Presumably Government have acted upon their own responsibility.

# 252

## * Summary of Proceedings of the Fifth Labour Conference and the Fourth Meeting of the Standing Labour Committee

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I lay on the table a copy each of the Summary of Proceedings of the Fifth Labour Conference held at New Delhi on the 6th and 7th September 1943 and the Fourth Meeting of the Standing Labour Committee held at Lucknow on the 25th and 26th January 1944.

# 253

## @ Government Contribution to Indian Labour Federation

35. **Mr. Lalchand Navalrai :** (a) Will the Honourable the Labour Member be pleased to state if his attention has been drawn to a contribution by the United Press, published in the Sind Observer of the

* Legislative Assembly Debates (Central), Vol. V of 1944, 20th November 1944, p. 1041.
@ *Ibid.,* Vol. I of 1945, 9th February 1945, pp. 87-88.

17th December, 1944, under the caption "Roy-Mehta Mud Slinging over Rs. 13,000" in which Mr. Jamnadas Mehta, M.L.A., now an officer in the Government of India, has said that he has with him an official correspondence on the aforesaid subject showing that the name of the Labour Federation has been used behind the back, over the head and without the knowledge of either its President or its Executive Council and further Rs. 13,000 per month were obtained by Mr. Roy for himself to be used as he liked ?

(b) In view of the above information, will the Honourable Member be pleased to give information with regard to this public money as to whom it was given and for what purpose, and how it was used, and did Mr. Roy himself use the money as he liked, or did he make use of it for his own purposes or divide it with Mr. Jamnadas Mehta ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes, by the Honourable Member himself.

(b) I would invite attention to my reply given to the Honourable Member's question No. 31 on the 2nd November, 1944.

**Mr. Lalchand Navalrai :** The Honourable Member has not given specific replies to my questions. I want to know, with regard to part (b), whether what Mr. Jamnadas Mehta has said in that article is correct, or what the Honourable Member said last time on this question was correct ? Is this money for Mr. Jamnadas, is it for Mr. Roy, or is it for both ?

**The Honourable Dr. B. R. Ambedkar :** I have nothing to add to the reply that I have given.

**Mr. Lalchand Navalrai :** But I want the Honourable Member to reply to my questions.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has given the reply.

**Mr. Lalchand Navalrai :** I know that the Honourable Member is feeling shy over this question because if he makes a statement it would go against his own answers. I submit that the Honourable Member should reply to my questions otherwise there will be an adjournment motion on this subject.

**Dr. Sir Zia Uddin Ahmad :** I think the House has got a right to know whether it is a personal gratuity or it is for the benefit of the Federation.

**The Honourable Dr. B. R. Ambedkar :** It is given to the Federation.

**Mr. T. S. Avinashilingam Chettiar :** May I know whether the Government has satisfied themselves that it has been entered in the accounts of the Federation and it has been spent through the Federation ?

**The Honourable Dr. B. R. Ambedkar :** Yes.

**Mr. T. S. Avinashilingam Chettiar :** May I know whether the Government are contemplating an increased amount being given ?

**The Honourable Dr. B. R. Ambedkar : No.**

**Mr. T. S. Avinashilingam Chettiar :** May I know for what period this has been sanctioned for the present ?

**The Honourable Dr. B. R. Ambedkar :** It is sanctioned for a year.

**Mr. T. S. Avinashilingam Chettiar :** May I know when it ends ?

**The Honourable Dr. B. R. Ambedkar :** When the budget ends.

**Mr. Badri Dutt Pande :** The Honourable Member said the other day that audited copies of accounts will be placed on the table of the House. Has he done so ?

**The Honourable Dr. B. R. Ambedkar :** They have not been received as yet.

**Mr. Govind V. Deshmukh :** Has the Honourable Member seen the details of this account ?

**The Honourable Dr. B. R. Ambedkar :** I understand that they are seen by a special officer who has been appointed by Government in this behalf.

**Mr. Lalchand Navalrai :** From those accounts that the Honourable Member has seen already, is it or is it not clear that this money has been utilized by Mr. Roy for his own purposes ?

**The Honourable Dr. B. R. Ambedkar :** I think that is not the correct statement.

**Mr. Lalchand Navalrai:** Then which is the correct statement ?

**The Honourable Dr. B. R. Ambedkar :** It has been spent for the purposes for which it has been granted.

**Mr. Badri Dutt Pande :** To whom was the money handed over to Mr. Roy, to Mr. Jamnadas Mehta, or to the Secretary of the Federation ?

**The Honourable Dr. B. R. Ambedkar :** It is received by the Secretary of the Federation.

**Mr. Jamnadas M. Mehta :** No money has been received by the Federation from the Government. The Name of the Federation has been used behind the back, over the head and without the knowledge of either its Executive Committee or its President. The Government have been cheated. It is without the knowledge of the Federation.

**The Honourable Dr. B. R. Ambedkar :** It is not my information.

**Mr. Jamnadas M. Mehta :** Government have been cheated.

**Mr. Lalchand Navalrai :** Will the Government take any action now that the Honourable Member has been told that Government has been cheated ?

**The Honourable Dr. B. R. Ambedkar :** Government does not believe that it has been cheated.

# 254

## * Re-Imposition of Ban on Women Working Underground in Mines

48. **Mr. T. S. Avinashilingam Chettiar :** Will the Honourable the Labour Member please state :

(a) whether the matter of continuing to allow women inside the mines has been reviewed ;

(b) how many women are now working under mines ; and

(c) in view of the fact that women working underneath cannot even decently clothe themselves, whether he will consider the advisability of abolishing the practice altogether ?

**The Honourable Dr. B. R. Ambedkar :** (a) The question of re-imposing the ban on the underground employment of women in coal mines, to which the Honourable Member presumably refers, has been reviewed.

(b) The figure varies but at present about 15,000 to 16,000 women are employed underground in coal mines.

* Legislative Assembly Debates (Central), Vol. I of 1945, 9th February 1945, p. 104.

(c) The ban has been lifted only as a temporary measure, and will be reimposed as soon as conditions permit.

I may also add that all female workers, both surface and underground, are supplied with two saries per year at the concessional rates as arranged for by the various Mining Associations; at some mines the saries are given free and at others at half price.

**Mr. T. S. Avinashilingam Chettiar :** The question was not whether they get saris to wear. It is impossible for them to wear the saris in the mines and so the question of presentation of saris or giving them at concessional rates is absolutely irrelevant. I understand that they cannot wear saris above the waist line while working in the mines, because it is too wrong.

**The Honourable Dr. B. R. Ambedkar :** It is quite wrong.

**Mr. T. S. Avinashilingam Chettiar**: When do you expect to reimpose the ban ?

**The Honourable Dr. B. R. Ambedkar :** As soon as circumstances permit.

**Mr. T. S. Avinashilingam Chettiar :** What are the circumstances ?

**The Honourable Dr. B. R. Ambedkar :** They are not under my control nor am I able to anticipate them.

# 255

## * Casualties in Coal Mines

52. **Mr. Abdul Qaiyum :** Will the Honourable the Labour Member please state:

(a) how many people were killed or wounded while working in coal mines in 1943 and 1944;

(b) whether the proposal of providing "Pit head baths " for women engaged in the mines and creaches for their children has been given effect to ; and

(c) if not, the reasons for the delay ?

**The Honourable Dr. B. R. Ambedkar :**

| | | | Killed | Injured |
|---|---|---|---|---|
| (a) 1943 | ... | ... | 290 | 1,320 |
| (b) 1944 | ... | ... | 332 | 1,395 |

* Legislative Assembly Debates (Central), Vol. I of 1945, 9th February 1945, pp. 109-10.

(b) So far pit head baths have been provided only in the Digwardih Collieries ; creaches have been installed in 7 collieries of Central Provinces and in one colliery of Raniganj (Bengal).

(c) The Government of India are not aware of the reasons for the delay. They have under active consideration the question of amending the Indian Mines Act to make it obligatory on the mine owner, who employ women workers to maintain creches.

**Mr. Abdul Qaiyum :** Will the Government see that these improvements are effected in good time before the ban on employment of women takes place ?

Otherwise, there will be no use for these improvements later on ? Will the Honourable Member see that they are not delayed too long ?

**The Honourable Dr. B. R. Ambedkar :** Employment of women underground may be stopped but employment of women on the surface will continue. Creaches will be necessary. That does not mean that I am going to delay matters.

**Prof. N. G. Ranga :** How many of those cases reported killed, due to mining accidents, were women ?

**The Honourable Dr. B. R. Ambedkar:** I want notice.

**Pandit Lakshmi Kanta Maitra :** What percentage of these deaths was due to asphyxiation and what percentage was due to accidents.

**The Honourable Dr. B. R. Ambedkar :** I want notice.

# 256

## *Mineral Deposits in South India

61. **Mr. K. S. Gupta :** (a) Will the Honourable the Labour Member please state the different types of mineral deposits—metalic and non-metallic—found in South India as a result of the occasional survey done by the Geological Department during the past thirty years ?

(b) Is it a fact that deposits of magnetic iron ore are found in large quantities in easily accessible places ?

(c) Was there any attempt made by the Government of India to establish an iron and steel industry or encourage others to establish one in the vicinity of these deposits ? If not, why not ?

* Legislative Assembly Debates (Central), Vol. I of 1945, 9th February 1945, pp. 116-17.

(d) Was there any systematic examination and investigation of the following deposits in the Madras Province (i) copper, (ii) zinc, (iii) lead, and (iv) aluminium ? If so, what are the results ?

(e) Is it not a fact that ceramic articles of high quality could be manufactured in the Province of Madras if the resources are properly tapped ? Are there any investigations made with regard to this industry ? If not, why not ?

(f) Is it not a fact that Ilmenite, an important mineral for manufacture of paint, could be found in some of the Southern districts ? Was there any scheme or attempt made to develop this industry ? If not, why not ?

(g) Is it not a fact that large quantities of mica, an irreplaceable mineral for high tension electrical work, is found in some of the coastal districts of the Madras Province ?

(h) Is it not a fact that mica is simply mined and exported to foreign countries without any attempt to start an industry for the preparation of electrical goods ?

(i) Do the Government of India propose to establish in Southern India a central research organization to study these deposits ? If so, when ? If not, why not ?

(j) Is it not a fact that almost all the scientific research institutions started and to be started under the Bureau of Scientific and Industrial Research would be located in Northern India ?

**The Honourable Dr. B. R. Ambedkar :** (a) Metallic : Chromite, iron ores, ilmenite and Columbite-Tentalite.

Non-Metallic : Ceramic materials including Kaolin, Fireclay and other types of clays, quartz, felspar, and sillimanite, Coal Lignite, and Rare Earth Minerals including Monazitc, Zircon and Samarskite.

(b) Yes.

(c) No. The ore is low grade and is not associated with suitable fuel for smelting.

(d) Yes. No deposits of economic value have however been discovered by the Geological Survey.

(e) Possibly. The Madras Government have given attention to this question and have employed Ceramic Experts.

The Geological Survey is conducting investigations on the quantity and quality of ceramic materials in Madras.

(f) First part. Yes. Second part. No, because the deposits in Travan-core are much richer than those in Madras, and the demand for this mineral is limited.

(g) Yes.

(h) Yes, mica is largely exported.

(i) The Government of India have under consideration a scheme of expansion of the Geological Survey of India, both in personnel and in activities; it is hoped that in future a much more intensive study of the mineral deposits in the country would be possible than is the case at present.

(j) The question should be addressed to the appropriate Member.

# 257

## * Damodar Canal and Polavaram Projects

65. **Prof. N. G. Ranga :** Will the Honourable the Labour Member be pleased to state :

(a) whether, in view of his references to the Tennessey Valley Authority as a model after which the Damodar Canal (Bengal) and Polavaram (Madras) projects are to be developed, Government would be pleased to get a brief report published about the general aspects of that scheme and its achievements ;

(b) whether, in view of the special need of Bengal for relief from floods, flood-relief will be accepted as the primary objective of the proposed Damodar project; and

(c) whether, in view of the great need of scheduled classes (Harijans) of Bengal and Bihar for lands, the Government of India will take special steps to set aside adequate funds for obtaining large areas of lands for co-operative settlement and cultivation by the Harijans of Bengal and Bihar ?

**The Honourable Dr. B. R. Ambedkar :** (a) The Tennessey Valley Authority is a foreign Government organisation. A copy of the report on the working of the Authority will be obtained and placed in the library of the House.

* Legislative Assembly Debates (Central), Vol. I of 1945, 9th February 1945, p. 118.

(b) Yes ; flood-control will receive priority over other aspects of control measures.

(c) The problem of the best way of helping landless labourers is engaging the attention of Government.

# 258

## * Higher Prices Charged for Rice in Bihar Coalfields

72. **Mr. K. C. Neogy :** (a) Will the Honourable the Labour Member be pleased to state whether it is a fact that, in spite of his reply to my starred question No. 611 (b) on the 20th November, 1944, that the Bihar Government have decided to charge the local wholesale controlled rate plus four annas administrative charge and to bear the resulting loss, the Joint Pool at Jharia is continuing to charge the old rate from its members ?

(b) Is it a fact that some mine-owners have lodged protest with the Central Government on this question ? If so, what steps have been taken to redress their grievances ?

(c) Is it a fact that the General Manager of a large colliery in the Province of Bihar has been committed to the Court of Session by the Magistrate, Dhanbad, to stand his trial under Section 81 of the Defence of India Rules at the instance of the Rationing Officer, Dhanbad, for supply of rice to the miners in excess of the prescribed ratio for the purpose of increasing the output of coal at his colliery ?

(d) Is it a fact that the Rationing Officer, Dhanbad, himself on behalf of the Bihar Government was charging and allowing the Joint Pool to charge higher rates over the declared controlled rates during the same period, as admitted by the Honourable Member in reply to my above question ?

(e) Will Government consider the desirability of taking necessary steps against the said Rationing Officer, Dhanbad, for violating the rules promulgated under the Ordinance, dated the 9th February, 1944, issued by the Deputy Commissioner, Dhanbad, by charging higher rates than the controlled rates of rice ?

* Legislative Assembly Debates (Central), Vol. I of 1945, 9th February 1945, p. 121.

**The Honourable Dr. B. R. Ambedkar :** (a) and (b) The Bihar Government report that they have received no protest to this effect but I have received one and have asked the Bihar Government for a further report. The matter will be further considered on receipt of their report.

(c) Yes.

(d) Collieries were being charged in excess of control rates for foodgrains prior to November, 1944, under the orders of the Provincial Government.

(e) Does not arise in view of reply to part (d).

# 259

## * Purchasing of Delhi Electric Supply and Traction Company

76. **Mr. K. C. Neogy :** (a) Will the Honourable the Labour Member be pleased to refer to his reply to my starred question No. 419 on the 15th November, 1944 and state whether any decision has been arrived at in regard to the question of the Government exercising their option to purchase the Delhi Electric Supply and Traction Company, Limited, on the expiry of their present licence ?

(b) If it has been decided to exercise this option, has the required notice been served on the Company ?

(c) In the event of the undertaking being taken over by Government, what will be the machinery for running it in future ?

(d) In case it has been decided not to exercise the aforesaid option, will the Honourable Member be pleased to make a detailed statement of the reasons for such decision ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). It is understood that the Chief Commissioner has decided to serve a notice on the Company of the intention of Government to exercise their option to purchase, but that the notice has not yet been served.

(c) No decision has yet been taken.

(d) Does not arise.

* Legislative Assembly Debates (Central), Vol. I of 1945, 9th February 1945, pp. 123-24.

# 260

## * Recent Racial and Religious Distinction set up by Labour Department about Allotment of Quarters

**Mr. President** (The Honourable Sir Abdur Rahim)**:** The next notice of an adjournment motion is from Sir Syed Raza Ali to censure the Government of India for the racial and religious distinction recently set up by the Labour Department in the allotment of houses in favour of Europeans, Anglo-Indians and Indian Christians by issuing Memorandum No. WII-4/114, dated 25th Januray, 1945.

I should like to know from the Member in charge what exactly the position is.

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I have looked into the Memorandum and I am told that instead of the word "Indian" the word "Indian Christians" crept it. through inadvertance. It will be corrected so that there will be no discrimination involved at all.

**Sir Syed Raza Ali** (Cities of the United Provinces : Muhammadan Urban): I think the best thing would be for the Honourable Member to make a statement in this House and have the whole thing placed on record.

**The Honourable Dr. B. R. Ambedkar :** I have corrected the Office Memorandum and it will be issued in the altered form.

**Sir Syed Raza Ali :** But the House would like to know something as to what is being talked about. What is the meaning of the Memorandum as it stands and what is the correction that my Honourable friend has made and what will be the effect of the correction.

**The Honourable Dr. B. R. Ambedkar :** The Memorandum that was originally issued read as follows :

> "This Department has had under consideration the question of the abolition of the distinction between 'Orthodox' and 'Unorthodox' types of quarters available in Delhi, New Delhi and Simla for

* Legislative Assembly Debates (Central), Vol. I of 1945, 10th February 1945, p. 206.

allotment to officers drawing less than Rs. 600 per mensem. After considering the views of the Departments, it has been decided that the distinction should be abolished with effect from the next summer season.

In respect of Europeans, Anglo-Indians and Indian Christians, in whose case the Estate Officer is satisfied that they profess European habits, the Estate Officer has been vested with discretion to allot residence with raised W. C. (unorthodox quarters) to them provided they are otherwise eligible for the particular category of 'A', 'B' 'C' and 'D' type of accommodation."

Necessary amendments to the rules will be made in due course. That was the original Memorandum that was issued. The amended Memorandum makes this change.

"The Estate Officer has been vested with discretion to allot residences with raised W. C. (unorthodox quarters) to those officers, whether European, Anglo-Indian or Indian, in whose case he is satisfied that they profess European habits, provided they are otherwise eligible for the particular categories of "A", "B", "C" and "D".

# 261

## * Ignoring Claims of Central Assembly Members for Accommodation in Western Court Rooms

156. **Mr. Abdul Qaiyum**: Will the Honourable the Labour Member please state :

(a) Whether certain rooms in the Western Court and other accommodation are primarily intended for the Honourable Members of the Central Assembly attending the Sessions or Select Committees.

(b) whether in allotting accommodation for the Select Committee on the Insurance Bill, the claims of the Members have been ignored and the Members of the National Defence Council have been given preference ; and, if so, why ; and

(c) whether due regard to the prior claims of the Members of the Central Legislative Assembly will be paid in future ?

* Legislative Assembly Debates (Central), Vol. I of 1945, 14th February 1945, pp. 323-24.

**The Honourable Dr. B. R. Ambedkar :** (a) 19 rooms in the Western Court and 69 quarters are reserved for the Honourable Members of the Indian Legislature during the sessions. During the non-Session periods, 7 rooms in the Western Court and 8 quarters are reserved for Members visiting Delhi in connection with the work of the Central Legislature.

(b) No ; the rooms in the Western Court were allotted to the Members of the National Defence Council in the absence of any intimation of the meeting of the Select Committee on the Insurance Bill in January, 1945 or of any demand for accommodation from the Members. Arrangement was however made to accommodate the members of the Select Committee who asked for accommodation in the Western Court.

(c) Arrangement is always made to accommodate the Members of the Central Legislature provided timely notice is given.

# 262

## * Construction of a Road to Imperial Research Institute at Mukteswar

178. **Mr. Badri Dutt Pande :** (a) Will the Honourable the Labour Member be pleased to state if there is a proposal to construct a cart or motor road to the Imperial Research Institute at Mukteswar in the Naini Tal district ?

(b) If so, what will be the length of the road and the cost of construction ?

**The Honourable Dr. B. R. Ambedkar :** (a) There is no such proposal before this Government.

(b) Does not arise.

# 263

## @ Examination of Commercial Aspects of Indian Spring-waters

308. **Mr. K. C. Neogy :** (a) Will the Honourable the Labour member be pleased to refer to unstarred question No. 50 of the 5th August, 1943, and the reply thereto, and make a statement indicating the results

* Legislative Assembly Debates (Central), Vol. I of 1945, 14th February 1945, p. 337.
@ *Ibid.,* 19th February 1945, pp. 454-55.

of the examination of the commercial aspects of Indian spring-waters, and the trial given thereto, the location of the different springs where trials have been made and the composition and properties of the respective waters ?

(b) Have Government any scheme for the working of any of these sources of spring-water through State agency or through the agency of any private enterprise ? If so, what are the details of such schemes ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). Waters of certain thermal mineral springs in Bihar were investigated by the Geological Survey of India and after examination of the chemical properties of these waters it was decided that there would be no advantage in Government undertaking during war time the commercial exploitation of these waters.

# 264

## * Damodar River Transport for Coal in Bengal

310. **Mr. R. R. Gupta :** Is the Honourable the Labour Member aware that in the last century a proposal was considered by the Government of India for providing river transport to the movement of coal from the Bengal coal fields to Calcutta by rendering the river Damodar as an all weather navigable channel ? If not, will Government consider the advisability of re-examining such a proposal in connection with the proposed multi-purpose Damodar River project ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** I am not aware of any such proposal but there was a proposal to take out a canal from the Damodar river from Raniganj to Calcutta.

The enquiry now being made is examining the possibility of a multipurpose scheme for the control of the Damodar—this examination will extend to the possibilities of encouraging navigation.

* Legislative Assembly Debates (Central), Vol. I of 1945, 19th February 1945, p. 455.

# 265

## * Discovery of Petroleum Near Rawalpindi

314. **Mr. T. T. Krishnamachari :** Will the Honourable the Labour Member please state:

(a) whether his attention has been drawn to the reports appearing in the newspapers about the discovery of petroleum near Rawalpindi and the Punjab ; and

(b) whether the monopoly for exploiting this petroleum has been given to a foreign concern ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes, Government have seen the reports referred to—

(b) The matter is the concern of the Provincial Government and Government of India have no information.

# 266

## * Women Workers in Mills and Factories of Delhi Province

327. **Shrimati K. Radha Bai Subbarayan :** Will the Honourable the Labour Member please state :

(a) the total number of women workers in the year, 1944, in the mills and factories in Delhi Province to which the Factories Act is applied;

(b) whether action under the Factories Act was taken against any of these concerns for failure to conform to the provisions of Acts for safeguarding the interests of women workers ; and

(c) whether a Women Labour Welfare Officer has been appointed for Delhi Province ; and, if so, what her duties are ?

**The Honourable Dr. B. R. Ambedkar :** With your permission, Sir, I propose to reply together to question Nos. 327 and 328.

I have made enquiries and will lay a report on the table in due course.

* Legislative Assembly Debates (Central), Vol. I of 1945, 19th February 1945, p. 456.
@*Ibid.,* p. 463.

# 267

## * Delhi Electric Supply and Traction Company

403. **Mr. T. S. Avinashilingam Chettiar :** Will the Honourable the Labour Member please state :

(a) whether he has completed the enquiry promised by him in his answer to Mr. Neogy's question No. 419 in the last session regarding the Delhi Electric Supply and Traction Company ;

(b) the profit the company is making; and

(c) the result of the enquiries, and whether Government propose exercising the option to purchase it ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (c). The Honourable Member's attention is drawn to the reply given to Mr. K. C. Neogy's question on 9th February 1945.

(b) The dividend declared by the Company since 1939 has been as follows:

1939—11 per cent.
1940—11 per cent.
1941—11 per cent.
1942—9 per cent.
1943—9 per cent.
} income tax free.

**Mr. T. S. Avinashilingam Chettiar :** Have Government decided to take over the Company ?

**The Honourable Dr. B. R. Ambedkar :** Yes, Sir.

**Mr. T. S. Avinashilingam Chettiar :** When will it come into effect ?

**The Honourable Dr. B. R. Ambedkar :** As soon as the license ends.

**Mr. K. C. Neogy :** Has the notice been actually served as yet ?

**The Honourable Dr. B. R. Ambedkar :** I believe so.

# 268

## @ Government Contribution to Indian Labour Federation

404. **Mr. T. S. Avinashilingam Chettiar :** Will the Honourable the Labour Member please state :

(a) whether, in view of the fact that the President of the Trade Union Congress, Sri Jamnadas Mehta, has denied the fact of having

* Legislative Assembly Debates (Central), Vol. I of 1945, 21st February 1945, p. 583.
@ *Ibid.,* pp. 583-84.

received the amount from the Government as alleged by the Labour Member, he has investigated into the matter;

(b) whether the amount has been credited in the accounts of the Trade Union Congress ; and

(c) in whose hands the money is being given ?

**The Honourable Dr. B. R. Ambedkar :** The Honourable Member is apparently referring in this question to Indian Federation of Labour of which Mr. Mehta was the President and not to the All-India Trade Union Congress.

(a) I would refer the Honourable Member to my reply to Mr. Lalchand Navalrai's question No. 31 on the 2nd November, 1944.

(b) I have no knowledge.

(c) The payment was originally mae to the representatives of the Federation through the National War Front and later, through the Chairmen, National Service Labour Tribunals. From June 1944, the payment is made to the Secretary of the Federation.

**Mr. T. S. Avinashilingam Chettiar :** Is it not necesssary that Government should satisfy themselves that when money is sanctioned for a particular organisation it has been credited to the accounts of that organisation ?

**The Honourable Dr. B. R. Ambedkar :** It is not my business to check the accounts of any organisation.

**Mr. T. S. Avinashilingam Chettiar :** In view of the Honourable Member's statement on a previous occasion that an auditor had been sent to audit the accounts may I know if the auditor's report has been received ?

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend must put down a specific question on that point.

**Mr. Abdul Qaiyum :** Will the Honourable Member give the names of the office-bearers of the organisation who actually received the money ?

**The Honourable Dr. B. R. Ambedkar :** First of all it was paid through the National War Front; then a change was made and the money was paid through the Chairmen of the National Labour Service Tribunals; and from June, 1944 it is paid to the Secretary of the Federation.

**Mr. Abdul Qaiyum :** Will the Honourable Member give the name of the particular gentleman who received the money ?

**The Honourable Dr. B. R. Ambedkar :** I shall require notice.

**Mr. T. S. Avinashilingam Chettiar :** In view of the fact that the Public Accounts Committee for 1942-43 specifically said that no vouchers and no accounts are kept for this money given to Mr. Roy, may I know if the money was given to Mr. Roy in his personal name and whether audits were made and what conclusion the auditors came to as to whether the amounts were credited to the organisation ?

**The Honourable Dr. B. R. Ambedkar :** I cannot say to whom the money was paid before the new arrangement was made. After the new arrangement was made the money is paid to the person who is known as Secretary.

**Mr. Badri Dutt Pande :** In view of the fact that the subsidy to the Labour Federation is not approved by this House, is it the intention of Government to discontinue it ?

**The Honourable Dr. B. R. Ambedkar :** I do not wish to anticipate the decision.

**Mr. T. S. Avinashilingam Chettiar :** Has provision been made for it in the next Budget ?

**The Honourable Dr. B. R. Ambedkar :** If my Honourable friend will wait he will know.

**Mr. Sri Prakasa :** Have Government made sure that the money is well spent ?

**The Honourable Dr. B. R. Ambedkar :** Yes sir. I have no doubt about it.

**Mr. T. S. Avinashilingam Chettiar :** Sir, may I point out to the Chair that this is an impertinent answer ? The Budget is coming up soon and he must know whether provision for this amount has been made. May I know whether this sum has been provided for ?

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend will know it on the 28th February.

# 269

## * Labour Exchange Bureaus

405. **Mr. T. S. Avinashilingam Chettiar :** (a) Will the Honourable the Labour Member please state in how many places labour exchange bureaus have been established ?

* Legislative Assembly Debates (Central), Vol. I of 1945, 21st February 1945, pp. 584.

(b) For what class of persons are these bureaus intended to serve ?

(c) Till now, for how many persons have they found employment ?

**The Honourable Dr. B. R. Ambedkar :** (a) Employment Exchanges have been established at ten centres in India, *viz.,* Bombay, Ahmedabad, Nagpur, Madras, Calcutta, Dhanbad, Cawnpore, Delhi, Lahore and Karachi.

(b) for the present, the Employment Exchanges are intended to serve technical personnel as defined under the National Service (Technical,) Personnel Ordinance, 1940 who are in receipt of wages of not less than Rs. 1-8-0 per day in the cities of Bombay and Calcutta and Re. 1 per day in other places.

(c) Upto 31st December, 1944 the Exchanges had found employment for 5,909 workmen.

I may add that it was only in December, 1943 that it was decided to set up these exchanges and considerable difficulty was experienced in securing competent staff and suitable accommodation.

**Mr. T. S. Avinashilingam Chettiar :** May I know whether Government propose to extend the work of these Labour Exchanges to other categories of labour ?

**The Honourable Dr. B. R. Ambedkar :** Yes, Sir.

**Mr. T. S. Avinashilingam Chettiar :** What are these other categories of labour which extension is proposed ?

**The Honourable Dr. B. R. Ambedkar :** We have come to no decision as yet.

**Mr. Abdul Qaiyum :** May I know for what percentage of the total applicants jobs were found ?

**The Honourable Dr. B. R. Ambedkar :** The total number of workmen that were registered as wanting jobs was 14,697 out of whom employment was found for 5,909 men.

**Shrimati Radha Bai Subbarayan :** Do these figures include women also?

**The Honourable Dr. B. R. Ambedkar :** My figures do not make any distinction between male and female.

# 270

## * Arrangements for Care of Children of Women Miners

436. **Shrimati K. Radha Bai Subbarayan :** Will the Honourable the Labour Member please state :

(a) what the specific arrangements are for the care of infants and children of women miners working inside mines and on the surface in all mining areas, and under whose supervision these arrangements are carried out;

(b) the facilities provided for nursing mothers working inside mines to feed their infants at regular intervals ; and

(c) whether the arrangements referred to in (a) and (b) have been approved by any medical authority ; and, if so, by whom ?

**The Honourable Dr. B. R. Ambedkar :** (a) No specific arrangements have so far been made, but at a few mines creches with female attendants have been provided and in some collieries child clinics exist where milk is distributed to miners' children. The question of requiring provision of creches is at present under the consideration of Government.

(b) Children are not allowed underground and therefore no special facilities are required underground. Mothers are not allowed underground within one month of delivery. Information as to facilities allowed to other mothers to come up to feed their children is being called for.

(c) No.

**Shrimati K. Radha Bai Subbarayan :** May I ask, Sir, if **the** Government will prohibit women from working underground in mines where these arrangements have not been made until Government consider this question ?

**The Honourable Dr. B. R. Ambedkar :** I have not followed the question.

**Shrimati K. Radha Bai Subbarayan :** Will Government take definite steps to have proper arrangements for the care of children and for enabling women to come up to the surface to feed their children ? Surely infants require to be fed even after they are a month old ?

* Legislative Assembly Debates (Central), Vol. I of 1945, 21st February 1945, p. 609.

**The Honourable Dr. B. R. Ambedkar :** I cannot arrive at a decision until I know what is the magnitude of the problem. I have called for information.

**Shrimati K. Radha Bai Subbarayan :** As the Honourable Member himself admits that the problem is a very serious one, will Government prohibit women from working underground till they have finished considering the problem ?

**The Honourable Dr. B. R. Ambedkar :** I do not know whether there are any number of women who are suckling babies underground.

**Mr. Manu Subedar :** Will the Honourable Member discontinue the work of women underground in those mines where the creches and other facilities mentioned by him do not exist.

**The Honourable Dr. B. R. Ambedkar :** I am taking steps to see that every mine has got creches.

**Mr. Manu Subedar :** Will the Honourable Member discontinue the work of women until that time ?

**The Honourable Dr. B. R. Ambedkar :** If that was the only alternative, that proposition might be considered.

**Prof. N. G. Ranga :** Will Government consult the All-India Medical Council in regard to part (c) of this question in regard to the advisability or otherwise of allowing mothers with suckling babies to work underground ?

**The Honourable Dr. B. R. Ambedkar :** I do not know whether they will accept the responsibility of advising Government in this matter.

**Prof. N. G. Ranga :** I am asking whether Government will be willing to ask them, whether they are prepared to give advise or not.

**The Honourable Dr. B. R. Ambedkar :** I do not think this is a problem where consultation is necessary.

**Shrimati K. Radha Bai Subbarayan :** May I ask if the International Labour Conference during its last session made certain suggestions with regard to this matter ?

**The Honourable Dr. B. R. Ambedkar :** I have no information at all at present with me.

**Mrs. Renuka Ray** : Is it a fact that these creches in most mines only function effectively when visitors are conducted round and when Government Inspectors go round there on their pre-arranged visits and

that miners' children who live in neighbouring areas are sometimes not permitted into the creches and there are no adequate facilities in most of the mines for the care of infants or children, even where creches exist in name with very few exceptions ?

**The Honourable Dr. B. R. Ambedkar :** I do not know how the Honourable Member knows that there are no creches when she does not go and visit.

**Mr. N. M. Joshi :** The Honourable Member had gone to the mining areas.

**The Honourable Dr. B. R. Ambedkar :** I have also gone.

# 271

## * Steps for Enforcing Mines Maternity Benefits Act in Mining Areas

437. **Shrimati K. Radha Bai Subbarayan :** Will the Honourable the Labour Member please state :

(a) what steps Government have taken to enforce the provisions of the Mines Maternity Benefits Act in mining areas since women miners are illiterate and ignorant of their rights ;

(b) whether Government have any report about the application of this Act since it was passed in 1941 ;

(c) whether four week's absence before and after delivery of **a** child has not proved insufficient to give adequate relief to the women miners and avoid injury to their health; and

(d) whether Government have obtained medical opinion on the subject referred to in (c); and, if so, whether Government will place a copy of it on the table of the House ; and, if not whether Government propose to take steps to secure such opinion ?

**The Honourable Dr. B. R. Ambedkar :** (a) One Senior Labour Inspector and two Junior Labour Inspectors who are qualified doctors have been appointed, under the Chief Inspector of Mines in India.

(b) Although Government themselves have not received reports about the working of the Act, the Inspectors under the Chief Inspector

* Legislative Assembly Debates (Central), Vol. I of 1945, 21st February 1945, pp. 610-11.

of Mines submit reports to him regularly and suitable action is taken by the Department of Mines.

(c) and (d). The four-week period before and after delivery in respect of women is in line with similar provision under Factory legislation. The question of increasing the period before delivery in respect of women employed underground is under consideration.

**Prof. N. G. Ranga :** What about after delivery ? Will Government also consider the advisability of extending the period after delivery ?

**The Honourable Dr. B. R. Ambedkar :** It is not necessary. There is complete prohibition on the employment of women who have delivered.

**Mrs. Renuka Ray :** Is the Honourable Member aware of the fact that since the ban on the employment of women underground was withdrawn, there have been cases in some mines of children being born underground.

**The Honourable Dr. B. R. Ambedkar :** I have no information.

**Mrs. Renuka Ray :** Will the Honourable Member kindly find out and take steps to see that such cases do not occur ?

**The Honourable Dr. B. R. Ambedkar :** If the Honourable Member will refer me to specific cases, I shall certainly make inquiries.

**Mrs. Renuka Ray :** I am prepared to do so.

**Shrimati K, Radha Bai Subbarayan :** May I ask for an assurance that Government will get the opinion of a competent medical authority on this important question, before they come to a decision on it ?

**The Honourable Dr. B. R. Ambedkar :** They will undoubtedly, if they find it necessary.

**Shrimati K. Radha Bai Subbarayan :** Is it not a fact that the International Labour Conference during its last session suggested that the period before and after confinement should be about two months under the Maternity Benefits Act ?

**The Honourable Dr. B. R. Ambedkar :** I have no information. I do not recall that.

**Shrimati K. Radha Bai Subbarayan :** I understand that it is mentioned in the report which the Government have circulated to us.

**Mrs. Renuka Ray :** Since the Honourable Member considers that he is justified in ignoring the International Convention prohibiting women working underground, I should like to know if he thinks it also unnecessary to consider the maternity benefits provision of the International Labour Conference ?

**The Honourable Dr. B. R. Ambedkar :** We are considering that matter.

# 272

## * Abolition of Distinction between Orthodox and Un-Orthodox Quarters

**451. Mr. H. A. Sathar H. Essak Sait :** Will the Honourable the Labour Member be pleased to state :

(a) the reasons that led to the decision to abolish the distinction between "orthodox" and "un-orthodox" types of quarters as stated in the Labour Department Memorandum, dated the 25th January, 1945; and

(b) the effect of this decision on (i) the present occupants of such quarters and (ii) those who qualify for these quarters in the future ?

**The Honourable Dr. B. R. Ambedkar :** (a) According to the allotment rules hithertho in force, applicants for accommodation had to apply either for the orthodox or the un-orthodox type of quarters and those who applied for one type of quarters were considered ineligible for the other type. In view of the present shortage of accommodation, the above rules very often worked to the disadvantage of the officers eligible for these types of accommodation, and produced the anomalous result that if an applicant failed to secure accommodation in the type he had applied for, he was obliged to go without any accommodation at all, even though he might have secured accommodation in the other type, had he applied specifically for that type.

Further, the maintenance of the distinction between the two types of quarters entailed extra work in the Estate Office in as much as the allotment of the two types of quarters had to be kept separate. Besides, it was also felt that the maintenance of the distinction between orthodox and un-orthodox quarters and their allotment on the basis of the orthodoxy or otherwise had become out of date.

(b) (i) None.

(ii) The decision of 25th January 1945 has since been slightly modified on 15lh February 1945. Those who are eligible for the particular category of 'A', 'B', 'C' and 'D' type of accommodation will be eligible to apply for both types of quarters.

* Legislative Assembly Debates (Central), Vol. I of 1945, 21st February 1945, p. 618.

# 273

## *Deaths of Women Workers in Mines

453. **Mr. K. S. Gupta :** (a) Will the Honourable the Labour Member please state the number of deaths of women workers in the mines of India (including coal) in the years of 1942, 1943 and 1944 due to (i) diseases, and (ii) accidents ?

(b) Is it not a fact that men workers are not available to work in coal mines as the wages offered are not commensurate with the rise in prices of foodstuffs and other necessaries of life ?

(c) Is there any attempt on the part of the mine owners or the Government of India to offer better wages and special amenities of life in the supply of foodstuffs and housing accommodation to mine workers to attract enough men workers to enable the Government to apply the ban on women working underground and thus save the dignity of womanhood in India as in every other civilized country ?

(d) Is it not a fact that infant mortality is very high in the mining areas due to lack of milk from the mother who is automatically getting dry due to hard and strenuous work underground ?

(e) Is it not a fact that no pure milk is available to the workers in the mining areas ?

(f) Are any attempts made by the mine-owners or Government to supply milk free of cost to children at least below one year in the various mining areas ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) The number of deaths of women in all mines in India due to accidents both on surface and undergound for the years 1942, 1943 and 1944 were 9, 11 and 53 repsectively. No figures of deaths due to diseases are available.

(b) No.

(c) Yes. The following improvements in regard to wages, welfare and amenities have been introduced ;

(1) subsidisation of foodstuffs and the provision of grain shops ;

(2) improved health measures including malaria control and increased provision for construction of hospitals ;

(3) provision of an adequate range of consumer goods for purchase;

* Legislative Assembly Debates (Central), Vol. I of 1945, 21st February 1945, p. 620.

(4) provision of transport to and from work ;

(5) increase in the rates for coal raisings at Railway Colleries so as to enable the contractors to offer more attractive wages to labour; and

(6) an informal agreement between Government and the mine-owners for an increase in the wages of colliery labour.

(d) It cannot be said that infant mortality is very high in mining areas due to lack of milk. Infant mortality figure in the coalfields is less than the All-India figure.

(e) Pure milk is available in mining areas. Samples of milk are frequently taken and examined by the Inspectors employed by the Mines Boards of Health and action is taken when adulteration is discovered.

(f) No. Government are examining further possibilities in regard to improvement of health of women and children in mining areas.

# 274

## * Women Workers Working Underground in Mines

454. **Mr. K. S. Gupta :** (a) Will the Honourable the Labour Member please state the number of women workers underground in the years 1942, 1943 and 1944 ?

(b) Is there any attempt made to reduce the number of women employed underground ? If not, why not ?

(c) Is it a fact that in certain coal mines women are allowed or compelled to work even in stages of advanced pregnancy, thus giving rise to child births underground ? Was any report to that effect brought to the notice of Government ? If so, what is the action taken to put a stop to such a malpractice ?

(d) Would Government consider the question of applying a strict ban on women working underground as soon as the seventh month of pregnancy is complete ? If not, why not ?

(e) Are Government aware that maternity benefit offered to women workers is only nominal and that several complaints are made to their

* Legislative Assembly Debates (Central), Vol. I of 1945, 21st February 1945, p. 621.

immediate superiors who do not care to report to the authorities concerned ?

(f) Does the Honourable Member propose to make an enquiry and remedy the defects ?

**The Honourable Dr. B. R. Ambedkar :** (a) 1942—*Nil.,* 1943— about 7,000, 1944—16,000.

(b) Yes. Every effort is being made to expedite the bringing about of such conditions as would enable Government to re-impose the ban on the underground employment of women in coal mines. In other mines, the ban already exists.

(c) No. So far as I am aware no children have been born underground in mines. No such reports have ever been received. The last part of the question does not arise.

(d) A proposal on these lines is under the consideration of Government.

(e) There are one Senior Labour Inspector and two Junior Labour Inspectors working under the Chief Inspector of Mines to administer the Mines Maternity Benefit Act, and every effort is made to see that the requirements of this Act are complied with.

(f) No.

# 275

## * Scheme for Recruitment of Gorakhpur Labour for Employment in Coal Mines

464. **Mr. K. C. Neogy** : (a) Will the Honourable the Labour Member be pleased to explain in detail the scheme for the recruitment of Gorakhpur labour and its employment in the coal mines ?

(b) What is the total number of labourers so far recruited under this scheme ? What has been the total expenditure incurred therefor, and how much of it has been and is expected to be recovered from the collieries in which the labourers are employed or intended to be employed ?

* Legislative Assembly Debates (Central), Vol. I of 1945, 21st February 1945, p. 629.

(c) What rates of wages and what amenities are these labourers entitled to, and how do they compare with the average terms and conditions on which other labourers are engaged in the coal mines ? What reports, if any, have been received as regards their output of work and general efficiency as also aptitude for mining work from the different mines where they are employed ?

(d) What are the names of officers directly in charge of the working of the scheme, and what are their respective duties ? What are their qualifications and experience in the line, and what emoluments do they receive ?

(e) From what source is the requisite finance obtained initially ? Are the accounts relating to the scheme regularly audited under the control of the Auditor General ? Up to which period has audit of these accounts been completed ? Has any financial or accounts irregularity been brought to light as a result of audit of the accounts ?

**The Honourable Dr. B. R. Ambedkar :** (a) The labour is recruited by the Gorakhpur Labour Supply Depot in the United Provinces for employment on various Government works as well as in the coalfield. It is organised in gangs under the following supervisory staff :—

One sirdar for each gang of 50 men.

One unit Supervisor for each contingent of 250 men.

One camp Supervisor for each camp of 1,000 men.

One Group Officer in charge of the personnel of one or more camps according to location.

The officer directly responsible for these labour camps is the Deputy Director, Labour Supply (Coal) with Headquarters at Dhanbad.

The labourers are recruited for six months or one year's service at work site or until no longer required, whichever is shorter. Each labourer is given a set of mazri clothing and blanket; he is also given advances to meet initial expenses and provided free with accommodation, medical aid, cooking fuel and rations. He is remunerated for work done on specified scales of wages in addition to bonus for good work and long service.

(b) Total number of labourers so far recruited for work in mines 33,500. Present working strength 15,000.

Total expenditure incurred—Rs. 74,16,584 up to the end of **January 1945.**

*Recoveries*

Total amount billed for up to the middle of

January 1945 ..... $14^1/_2$ lakhs.

Actual recoveries ..... 5 lakhs.

(c) Gorakhpur labour is entitled to the following wages and amenities when serving in colliery areas:

Basic wage of 12 annas per day.

Production Bonus of 4 annas per day.

Extra allowance for working underground—4 annas per day.

In addition the labour gets free foodstuffs for a complete diet, the estimated cost of which is about 14 annas per day. They are also entitled to free housing and free medical aid.

Labour from Gorakhpur gets on the whole better terms and conditions than local labour.

Local colliery labour gets :

(i) as cash wages 50 per cent over the pre-war local rates of wages—the pre-war rates of wages were for an average worker about 8 annas in the case of surface workers and 14 annas in the case of those employed underground;

(ii) food concessions as follows:

$^1/_2$ seer of rice free for each day of attendance.

Adequate supply of dal at concession rate of 6 seers to the rupee. Such further supplies of rice and dal as he may require at controlled rates.

The intention of the present concession rates is to supply full ration at concession rates for the miner himself and to require him to pay controlled rates for his family. These concessions were introduced in May last, but previously the concessions extended to the worker's family and were for rather larger quantities of grain. The

worker is now given in lieu an additional cash allowance of two annas in the case of a bachelor and five annas in the case of a married man with children.

Reports from various sources including colliery owners show that Gorakhpur labour is adaptable to most kinds of work such as building camps, removing over burden in quarrying schemes, loading coal into wagons as well as cutting coal. It is also reported to be regular in attendance, and under proper supervision, its output is as good as that of any other labour.

(d) (1) Mr. Walsh—Deputy Director, Labour Supply (Coal) Pay Rs. 1,925 per mensem.

(2) Mr. Morris—Assistant Director Coal (Production). Pay Rs. 1,215 per mensem.

Mr. Walsh is in complete charge of all matters relating to Gorakhpur labour including rations, pay, accommodation and welfare. He has 12 years' planting experience, was 3 years' Army Staff Officer in administrative capacity and was Labour Staff Officer at No. 3, Indian Reserve Base for 10 months where he was responsible for original organisation of Gorakhpur labour into Centralised force.

Mr. Morris is in charge of the labour on work sites, output of work, provision of tools and transport. He has handled labour of various classes during last 25 years in India and Burma. He raised and commanded Pioneer Battalion during past two years.

(e) The expenditure is initially debited to the head "Advance Repayable—Special Advances" while recoveries effected from the mine owners are credited to the receipt head "XXXVI—Miscellaneous Departments". The difference between the expenditure incurred and the recoveries effected is recouped from the Coal Production Fund. The Audit Department is responsible for the audit of the expenditure. No audit or accounts irregularities have been brought to light so far.

# 276

## * Late Publication of Legislative Assembly and Council of State Debates (1944 Autumn Session)

13. **Mr. Ananga Mohan Dam :** Will the Honourable the Leader of the House please state :

(a) the dates on which the Legislative Assembly and Council of State Debates for the Autumn Session (November), 1944, were made available for sale and for supply to the Honourable Members, respectively; and

(b) the reasons for the late publication of those Debates ?

**The Honourable Dr. B. R. Ambedkar :** (a) The information is given in the statement@ attached.

(b) The delay in the publication of the debates was due to various causes, *e.g.,* rush of operational war work, defective working of machines for want of replacement of spare parts and shortage of staff due to non-availability of suitable men.

# 277

## † Annual Reports of Supervisor of Railway Labour, Calcutta

532. **Mr. Lalchand Navalrai :** Will the Honourable the Labour Member to pleased to state :

(a) whether the Supervisor of Railway Labour, Calcutta, has submitted to the Government his annual reports on the working of (i) the Payment of Wages Act, and (ii) the Hours of Employment Regulations subsequent to 1940-41 ; if so, whether these reports have been published in full or part and whether the Honourable Member will be pleased to lay copies thereof on the table of the House; and

*Legislative Assembly Debates (Central), Vol. I of 1945, 21st February 19-15, p. 630.

@ *Statement omitted.*—Ed.

† Legislative Assembly Debates (Central), Vol. II of 1945, 28th February 1945, p. 797.

(b) if the reply to the last portion of part (a) above is in the negative, whether the Honourable Member proposes to supply the following information in a tabular form for each Railway, separately, for the financial years 1941-42, 1942-43 and 1943-44 :—

(i) the amount of fines inflicted on the Railway staff;

(ii) the total number of cases in which fines were inflicted ;

(iii) the total number of irregularities detected in the working of the Payment of Wages Act;

(iv) the total number of irregularities detected in the working of the Hours of Employment Regularities ;

(v) the nature of instruction issued to the various Railway Administrations to avoid a repetition of such irregularities ;

(vi) the nature of representations made by the Labour Supervisor to the Labour Department of the Government of India on points where a conflict of opinion existed between the Supervisor and the Railway Administrations or the Board ; and

(vii) the decision given on points referred to in (vi) above ?

**The Honourable Dr. B. R. Ambedkar :** (a) Since the year 1940-41, annual reports on the working of the Payment of Wages Act and the Hours of Employment Regulations for the years 1941-42 and 1942-43 have been submitted by the Conciliation Officer (Railways) and Supervisor of Railway Labour. As I informed the Honourable Member in answer to his unstarred question No. 43 on the 10th February 1944, Government have decided not to publish these reports in view of the acute shortage of paper. They have, however, now decided to issue a press note in respect of the reports for the year 1942-43 as also in respect of future report until such time it is found possible to renew the previous practice of publishing them.

(b) Such information as is readily available is being complied and a statement will be laid on the table of the House in due course.

# 278

## * Composition of Employees' Delegation to the Tripartite (Labour) Conferences

† 533. **Mr. Lalchand Navalrai**: Will the Honourable the Labour Member be pleased to state :

(a) whether the Employees' Delegation to the Tripartite (Labour) Conferences or Standing Committee is composed of representatives of—

(i) the Indian Federation of Labour;

(ii) the All-India Trade Union Congress ; and

(iii) other workers ;

(b) which industries and workers are included in category (iii) of "Other workers" and how their representatives are elected or nominated ;

(c) if the representatives of "other workers" are nominated by Government whether it is proposed to discontinue the practice ; if not, why not; and

(d) on what basis and considerations Government nominate these delegates and whether the Provincial Governments have any hand in such nominations ; if so, to what extent ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b), (c) and (d). Category (iii) relates to labour interests not adequately represented on the two all-India labour organisations, viz., the All-India Trade Union Congress and the Indian Federation of Labour. The nominations are made by the Government of India after taking into consideration suggestions received from Provincial Governments. It is not the intention to discontinue the practice at least for the time being. Such nomination is necessary at the present stage of development of workers' organisations in the country.

# 279

## @ Hydro-Electric Schemes

539. **Mr. Manu Subedar :** (a) Will the Honourable the Labour Member please state how many hydro-electric schemes are at present functioning in India ?

* Legislative Assembly Debates (Central), Vol. II of 1945, 28th February 1945, p. 798.

@ *Ibid.,* p. 804.

† Answer to this question laid on the table, the questioner being absent.

(b) What is the amount of power generated by each of them ?

(c) How much of this power is used for industrial purposes ?

**The Honourable Dr. B. R. Ambedkar :** (a) 34 excluding private, industrial and military installations.

(b) It is not possible to give information about individual stations. The total energy generated by all the stations is approximately 1983 million K.W.H.

(c) About 56 per cent.

# 280

## * Hydro-Electric Schemes

**540. Mr. Manu Subedar :** (a) Will the Labour Member please state how many other hydro-electric schemes have been considered ?

(b) How many of them are going to be dealt with by (i) the Government of India, (ii) the Provincial Governments, and (iii) the Indian States ?

(c) What will be the total horse-power of these schemes ?

(d) How many of them have been already sanctioned by the Government of India ?

(e) For how many of them is machinery either under negotiation or under order ?

(f) What is the approximate date when they are expected to function and make power available ?

(g) Which of these schemes will be the first ?

**The Honourable Dr. B. R. Ambedkar :** (a) A large number of schemes have recently been considered ; several of them are in various stages of investigation. Plant requirements for 31 have so far been notified to the Secretary of State.

(b) (i) Under the present constitution, development of Hydro Electric Schemes falls within the purview of the Provincial Governments. The Government of India are, however, rendering them such assistance as is asked for through the Central Technical Power Board which they have recently set up for the initiation, co-ordination and pushing forward of electricity development schemes.

* Legislative Assembly Debates (Central), Vol. II of 1945, 28th February 1945, pp. 804-05.

(ii) and (iii). Of the 31 schemes mentioned in reply to part (a), 14 are being dealt with by Provincial Governments, 13 by Indian States and 4 by private concerns.

(c) Approximately 6,70,000.

(d) 28 schemes requiring plant before the end of 1947 have so far been approved by the authorities concerned.

(e) Seven.

(f) Between the end of 1946 and 1949.

(g) The Mohammadpur Hydro Electric Schemes of the U. P. Government will probably be the first to start functioning out of postwar schemes.

**Mr. Manu Subedar :** Is it a fact that the Government of India are unduly strict with regard to hydro-electric projects which arc submitted to them from the Provinces and from the States ?

**The Honourable Dr. B. R. Ambedkar :** I do not suppose there is any ground for believing that they are more strict than the necessities of the case require.

# 281

## * Electrical Commissioner's Report

† **541. Mr. Manu Subedar :** (a) Will the Honourable the Labour Member state why a copy of the report produced by the Electrical Commissioner with the Government of India has not been placed in the library of the House ?

(b) Has the Policy Committee, in connection with power, reported ?

(c) If so, will a copy of their report be made available to the Members of the Legislature ?

**The Honourable Dr. B. R. Ambedkar :** (a) Presumably the Honourable Member refers to the proceedings of the Technical Power Conference of which the Electrical Commissioner was the Chairman. The report is under print and a copy will be placed in the Library of the House as soon as the printed copies become available.

* Legislative Assembly Debates (Central), Vol. II of 1945, 28th February 1945, p. 804.

† Answer to this question laid on the table, the questioner being absent.

(b) and (c). Presumably the reference is to the second meeting of the Policy Committee held on 2nd February 1945. The Record of the meeting is being finalised and copies will be placed in the Library of the House in due course. The Record of the first meeting of the Committee is already available in the Library of the House.

# 282

## * Scheduled Castes Employees of Central Public Works Department

556. **Mr. Piare Lall Kureel :** Will the Honourable the Labour Member be pleased to state :

(a) the number of members of the scheduled castes employed in the Central Public Works Department as Executive Engineers, Sub-Divisional Officers and Subordinates in the permanent, temporary and work-charge staff, separately ;

(b) whether it is a fact that none of the temporary incumbents of the posts of Subordinates belonging to the members of the scheduled castes were confirmed as permanent staff during the year 1944 ; and

(c) what measures Government propose to take to secure a fair representation of the members of the scheduled castes among the permanent staff of the Central Public Works Department ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). The number of permanent and temporary Executive Engineers in the Central Public Works Department is 12 and 55 respectively. Two of the temporary Executive Engineers are members of the Scheduled Castes. There are no officers of that community among the permanent Executive Engineers and there are no posts of Executive Engineers borne on the work charged establishment.

The rest of the information required by the Honourable Member is not readily available. It is being collected and will be supplied to him as soon as possible.

(c) Under the orders regarding communal representation in the Public services, one out of every twelve vacancies (other than vacancies

* Legislative Assembly Debates (Central), Vol. II of 1945, 25th February 1945, pp. 812-13.

filled by promotion) is set aside for members of the Scheduled Castes. These orders, which are generally applicable to all classes of posts in the Central Public Works Department will secure a fair representation for members of the Scheduled Castes, in that Department.

**Dr. Sir Zia Uddin Ahmad :** May I ask whether the Scheduled Castes are reckoned as one of the minorities so that their share comes from 33 per cent ?

**The Honourable Dr. B. R. Ambedkar :** They are a separate category.

**Dr. Sir Zia Uddin Ahmad :** Then if you put them in a separate category how will the percentage of 33 per cent, reserved for minorities, be affected by this category ?

**The Honourable Dr. B. R. Ambedkar :** It is not affected at all; it is quite apart from that.

# 283

## * Liens on New Delhi Quarters of Government Servants Transferred to Calcutta and Bombay

564. **Syed Ghulam Bhik Nairang :** Will the Honourable the Labour Member please state:

(a) whether it is a fact that allotment to Government servants of Government quarters at New Delhi is made according to seniority in service which is reckoned from the date of a person's continuous appointment at New Delhi/Simla ;

(b) whether such persons transferred to Simla hold their liens on quarters at New Delhi during the period of their transfer ;

(c) whether Government laid down recently that officers transferred to the Branch Secretariat at Calcutta are also allowed to retain liens on Government quarters at New Delhi whereas those transferred to Attached Offices will not be eligible for this privilege ;

(d) whether it is a fact that the staff transferred to Calcutta with the office of the Additional Chief Engineer, Central Public Works Department, was allowed to retain liens on their quarters at New Delhi and were allotted quarters on their return to Delhi;

* Legislative Assembly Debates (Central), Vol. II of 1945, 28th February 1945, pp. 817-18.

(e) whether it is a fact that the period of break in the continuous employment of certain persons employed in the Central Public Works Department which occurred on account of their transfers to places other than Simla has been condoned on their re-transfer to Delhi, as a special case ;

(f) whether it is a fact that the Central Government servants transferred from Delhi to Calcutta, Bombay, etc. in the interest of service are not allowed to hold liens on their quarters at New Delhi and on their return to New Delhi are considered not to be continuously employed for the purpose of allotment of quarters ; and

(g) whether Government propose to accord such persons the same treatment as is accorded in the cases mentioned in parts (c) and (e) above ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) Persons transferred to Simla on or before 10th November, 1942 retain liens on quarters occupied by them in New Delhi but those transferred to Simla after that date temporarily are allowed to retain liens for a period of one year from the date of their transfer.

(c) Yes.

(d) Two members of the staff of the Office of the Additional Chief Engineer, Central Public Works Department were allowed to retain the quarters allotted to them in Delhi for the period of their stay in Calcutta which was less than one year.

(e) Yes, but the break in such cases was under one year.

(f) Central Government servants are allowed to retain liens on their quarter if the Departments concerned certify that the individuals will return to Delhi within a period of one year.

(g) Does not arise, in view of reply to part (f).

# 284

## * Production Cess on Coal Mines

565. **Prof. N. G. Ranga** : (a) Will the Honourable the Labour Member be pleased to state if Government have levied a Production cess of Rs. 1-4-0 on portion of coal despatched from mines in British India ?

* Legislative Assembly Debates (Central), Vol. II of 1945, 28th February 1945, pp. 818-19.

(b) Is the cost of recruiting unskilled labour from Gorakhpur, Ballia and other districts of the United Provinces and their maintenance at the coal fields defrayed out of the proceeds of the cess ?

(c) What is the Contract Form the labour (including women) have to sign ? Will Government place on the table of the House a copy of the order under which this labour is recruited and their contract form ?

(d) What is the machinery to recruit them ?

(e) Where are they usually stationed ?

(f) What was the approximate number of this labour at the various coalfields on the 31st December 1944 ?

(g) Have separate camps been established for them ? If so, are latrine and bath-room conveniences provided ?

(h) How many batches have been sent by now and what is their numerical strength ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) The expenditure is initially met by Government. A part of it is recovered from mine owners and the balance is recouped from the Production Cess Fund.

(c) No form of contract is signed by labourer who verbally agree to serve for a period of 6 or 12 months.

(d) Labour Supply Depot, Gorakhpur, run by the Government of the United Provinces.

(e) Coalfields in Bengal and Bihar and Singareni colliery in Hyderabad.

(f) (i) Bengal/Bihar coalfields. 15,400.

(ii) Singareni Colliery. 2,500.

(g) Yes, latrines are provided in most camps and will soon be provided in all, but not bath-rooms. Adequate water supply is however made available.

(h) The total number of labourers despatched is :

Bengal/Bihar coalfields. 37,000.

Singareni collieries. 5,000.

# 285

## * Medical Aid at Coal Mine Workers Camps

566. **prof. N. G. Ranga :** (a) Will the Honourable the Labour Member be pleased to say if" there is any provision for rendering medical aid to the coal mine workers at their camps ?

(b) If so, has any schedule been drawn up for maintaining any minimum stock of medicines and surgical instruments at such camps ? What is the number of medical staff and their qualifications ?

(c) Is, there any arrangement for the treatment of venereal diseases, at these camps ?

(d) Is any record maintained of the incidence of sickness ?

(e) If so, what is the total number of cases of malaria and venereal diseases from the beginning of these establishments of the labour camps up to the 31st December, 1944 ?

(f) Is there any arrangement for periodical medical examination of the workers ?

(g) If so, what are the diseases most prevalent which these examinations show and their percentage ?

(h) Have any deaths taken place ? If so, how many and due to what reasons ?

(i) Is there any supervision machinery for the Medical Department of the Camp ? Does the local Civil Surgeon visit the camps and treat serious cases ? Are serious cases taken to Civil Hospitals ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) An adequate stock of medical supplies and surgical instruments are kept at each camp. One graduate in medicine is in charge of each camp with more than 1,000 labourers ; while one licentiate in medicine is in charge of each camp with less than 1,000 labourers.

(c) Yes.

(d) Yes.

(e) The camps, are spread over a large area and it has therefore not been possible to collect the information in the time available.

(f) Yes.

* Legislative Assembly Debates (Central), Vol. II of 1945, 28th February 1945, p. 819.

(g) Annemia. In this case also time is required to collect the statistics asked for.

(h) yes. 156 up to end of last December. The majority of deaths is due to natural causes. A small number is due to accidents at work sites.

(i) Yes. A post of chief Medical Officer of the Directorate of Unskilled Labour Supply has been sanctioned. In view of the special provisions made the local Civil Surgeon does not visit the camps. Serious cases are taken to Civil Hospitals.

# 286

## * Rations at Coal Mine Workers Camps

567. **Prof. N. G. Ranga :** (a) Will the Honourable the Labour Member be pleased to state if the workers living at these mining labour camps are provided with rations directly by Government or through a contractor ?

(b) Is each worker allowed to draw his ration separately or are the rations given in bulk to a gang of fifty men ?

(c) Is it a fact that labour are usually supplied short weights by the contractor ?

(d) Can this labour purchase their rations from the Local Government Ration Shops or Depots ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Workers in mining labour camps are issued rations by Government through a contractor under the supervision of Group Officers.

(b) Rations are issued weekly in bulk for each gang.

(c) No.

(d) No, as they are issued free Government rations.

# 287

## @ Corporal Punishments at Coal Mine Workers Camps

568. **Prof. N. G. Ranga :** (a) Will the Honourable the Labour member be pleased to state whether it is a fact that corporal punishment

* Legislative Assembly Debates (Central), Vol. II of 1945, 28th February 1945, pp. 819-20.

@ *Ibid.,* p. 820.

is being given to the workers at these coal mining labour camps ? Does this apply to men and women both ?

(b) Does any inachinery exist for the redress of these workers' grievances ?

(c) Are the Labour Welfare Adviser to the Government of India and his Assistants or the Coal Mines Welfare Commissioner and the officers under him empowered to look after the welfare of these workers or conduct inquiries into their grievances ? If not, why not ?

(d) If so, who investigates their complaints ?

(e) Is any record maintained of these cases ?

**The Honourable Dr. B. R. Ambedkar :** (a) No. There are no women's camps.

(b) Yes. The workers can approach the Deputy Director Labour Supply (Coal) for redress of grievances.

(c) No. The Labour Camps are looked after by the Deputy Director Labour Supply (Coal) and his staff.

(d) Chief Liaison Officer and the Group officers of the Unskilled Labour Supply Directorate.

(e) If cases are submitted in writing, the records are kept in the office of the Deputy Director Labour Supply (Coal). Oral complaints are dealt with on the spot. Where considered necessary records are kept.

# 288

## * Mica Commission

661. **Mr. Manu Subedar :** (a) Will the Honourable the Labour Member please state the object of appointing the Mica Commission ?

(b) What were its terms of reference and composition ?

(c) What assistance have Government rendered at any time to the mica producers of this country ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). The Honourable Member presumably refers to the Mica Enquiry Committee. His attention is invited to Resolutions No. MD-55, dated 15th May, 1944 and 23rd October 1944, copies of which have been placed in the Library of the Indian Legislature.

* Legislative Assembly Debates (Central), Vol. II of 1945, 5th March 1945, pp. 1022-23.

(c) Under the Government of India Act, 1935 Mineral Development is a Provincial subject except to such extent as is declared by a Federal law to be expedient in the public interest. No such federal law at present exists and Mineral Development has therefore been left entirely to Provincial Governments. But even so during the war the Central Government has given considerable assistance to mica producers in helping them to get supplies and by allowing the bonus on excess production to be free of excess profits tax.

**Mr. Manu Subedar :** Is it a fact that Government have controlled the price of mica and that bulk of the mica has been purchased both for this Government and for the Allied Governments at controlled prices, and that the control has been introduced by the Central Government ?

**The Honourable Dr. B. R. Ambedkar :** Prices have been fixed.

**Mr. Manu Subedar :** May I know how these prices compare with the pre-war prices ?

**The Honourable Dr. B. R. Ambedkar :** They compare very favourably.

**Mr. Manu Subedar :** How much is the difference ?

**The Honourable Dr. B. R. Ambedkar :** Sir, I must have notice of that question.

**Mr. N. M. Joshi**: May I ask whether the Mica Commission is going to consider the conditions of work of the mica miners, and, if so, whether the miners are represented on the Mica Commission ?

**The Honourable Dr. B. R. Ambedkar :** No, that is not one of the subjects which the Commission will make enquiries about.

**Mr. G. W. Tyson :** With reference to part (c) of the question, will the Honourable Member say whether he is satisfied that during the war, in which period the Central Government has had a good deal to do with the mica industry, Government has accorded protection to the mechanized mining companies which have suffered very heavy losses as a result of the illicit trade in mica ?

**The Honourable Dr. B. R. Ambedkar :** That is one of the reason why the Committee was appointed.

**Shrimati K. Radha Bai Subbarayan :** May I know if the Maternity Benefit Act is applied to mica factories ?

**The Honourable Dr. B. R. Ambedkar :** It applies to all mines.

**Shrimati K. Radha Bai Subbarayan :** Is it a fact that the Factories Act is not applied to mica splitting factories. If so, why ?

**The Honourable Dr. B. R. Ambedkar :** I have no reason to believe that it is not applied.

**Shrimati K. Radha Bai Subbarayan :** May I draw the attention of the Government to the report in the Trade Unions Record of September, 1944?

**The Honourable Dr. B. R. Ambedkar :** Probably that might need further corroboration.

**Mr. N. M. Joshi :** May I ask whether the Honourable Member will make enquiries to find out whether the Factories Act applied to mica factories, or not ?

**The Honourable Dr. B. R. Ambedkar :** I will make enquiries.

# 289

## *Abolition of Distinction between Orthodox and Un-Orthodox Quarters

662. **Mr. T. T. Krishnamachari :** (a) With reference to the Honourable the Labour Member's reply to the adjournment motion on the 10th February, 1945, regarding the abolition of the distinction between orthodox and un-orthodox quarters, will he be pleased to state whether other Departments of Government were consulted and which and how many of the Departments of the Government of India were for and against the proposal to abolish the distinction ?

(b) Has the Estate Officer been vested till now with the discretion to allow un-orthodox quarters ? If not, why has he now been vested with such discretion ?

(c) What is the method or machinery by which the Estate Officer will be able to satisfy himself whether an applicant, who is an Indian, professes European habits and thus becomes eligible for a unit in the un-orthodox quarters ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes. Government do not consider it necessary to specify the Departments who were against or in favour of the proposal.

* Legislative Assembly Debates (Central), Vol. II of 1945, 5th March 1945, p. 1023.

(b) No. The Estate Officer will have no discretion in the allotment of un-orthodox quarters as Government have decided that a declaration by an applicant in respect of his style of living should be accepted without question.

(c) Does not arise.

# 290

## *Abolition of Distinction Between Orthodox and Un-Orthodox Quarters

663. **Mr. T. T. Krishnamachari :** (a) Will the Honourable the Labour Member be pleased to state whether, according to his reply of the 10th instant in connection with the adjournment motion on the same subject, mentioned in the preceding question, it is proposed to disturb the provisional lien holders of un-orthodox quarters ? If so, will they be allotted similar accommodation of the type to which they are eligible, if available ?

(b) In the event of such higher category accommodation not being available, is it the intention to allow them as heretofore to continue in the type of house they are already in occupation until such time as the higher type accommodation is available ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) The reply to the first part of the question is in the negative. The second part does not arise.

(b) Yes.

# 291

## @ Break-Down of Trade Disputes Arbitration Machinery in Ahmedabad

668. **Mr. K. S. Gupta :** (a) Is the Honourable the Labour Member aware of the serious situation arising out of the break-down of the permanent machinery of arbitration for settlement of disputes capital and industry in Ahmedabad ?

* Legislative Assembly Debates (Central), Vol. II of 1945, 5th March 1945, pp. 1023-24.
@ *Ibid.,* p. 1027.

(b) Is it not a fact that the break-down is viewed with grave concern by the Joint Representative Board of the Textile Labour Association of Ahmedabad ?

(c) Do not Government of India propose to restore arbitration system ? If not, why not ?

(d) Is it not a fact that there is a written agreement of 1937 signed by both the Textile Labour Association and the Millowners' Association of Ahmedabad ?

(e) Is it not a fact that the above said agreement is still unregistered and not acted upon by the Millowners' Association ? If so, do Government propose to use their influence and power necessary to end the dispute ?

(f) Does the Government of India propose to encourage and help the formation of a Labour Research Institute contemplated by the Textile Labour Association of Ahmedabad for the benefit of the working classes ?

**The Honourable Dr. B. R. Ambedkar :** I am aware of the existence of a trade dispute over bonus between the Textile Labour Association and the Millowners' Association, Ahmedabad, which has been taken up by the Chief Conciliator under the Bombay Industrial Disputes Act, 1938. I have no information regarding any breakdown of the arbitration machinery and other matters referred to in the question all of which are the concern of the Provincial Government.

# 292

## * Communal Composition of certain Staff under Labour Department

55. **Sardar Sant Singh :** Will the Honourable the Labour Member be pleased to state :

(a) the total number, and

(b) the number of Sikhs,

(c) Christians,

(d) Domiciled Europeans and Anglo-Indians, and

* Legislative Assembly Debates (Central), Vol. II of 1945, 5th March 1945, p. 1039.

(c) Parsis, appointed since 1934 in each grade of pay on

(i) permanent and

(ii) temporary basis, carrying a salary of Rs. 100 p.m. and above, in all the Departments and offices under him, giving the designations of Sikhs so appointed ?

**The Honourable Dr. B. R. Ambedkar :** The time and labour involved in collecting this information will not be commensurate with the results to be achieved. The Government therefore regret their inability to furnish this information.

# 293

## * Profiteering in House Property Transactions in Delhi

57. **Mr. Satya Narayan Sinha :** Will the Honourable the Labour Member please state if it is a fact that a good deal of profiteering is going on in house property transactions in Delhi City ? If so, what action has been taken by Government to check it ?

**The Honourable Dr. B. R. Ambedkar :** (a) Government have no information.

(b) The question does not arise but for the information of the Honourable Member I would state that Government have not passed any measure regulating the sale of private house property in Delhi City.

# 294

## @ Labour Officers' Training in Britain

810. **Mr. T. S. Avinashilingam Chettiar** : Will the Honourable the Labour Member please state :

(a) whether Labour Officers are being sent to the United Kingdom for training;

(b) the object and course of training ; and

(c) how many are proposed to be sent and the expenditure involved in this scheme ?

* Legislative Assembly Debates (Central), Vol. II of 1945, 8th March 1945, p. 1039.
@ *Ibid.,* p. 1167.

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) The object is to have experienced and suitably trained staff to tackle problems of labour administration, e.g., industrial relations including the settlement of Labour disputes, factory inspection, and labour welfare, wage regulation and inspection, employment exchanges, demobilisation and resettlement, which are of immediate importance to India. The course will cover mainly all the subjects enumerated above and will be conducted partly at the headquarters of the Ministry of Labour and partly in other centres in the United Kingdom. It will last for a period of about six to eight months.

(c) The intention is to send three batches of 20 officers each, each batch including 12 officers of the Central Government and eight of the Provincial Governments and States. Financial sanction has been accorded to the sending of 12 Central Government officers with the first batch of trainees and this will cost the Central Government about a lakh of rupees. The Provincial Governments and States will bear the expenditure in connection with their nominees.

**Sardar Sant Singh :** Will the Honourable Member say how he proposes to make the selections ?

**The Honourable Dr. B. R. Ambedkar :** With regard to the selections of nominees of Provinces and States, the matter rests with them. With regard to the selection of officers from Centre it rests with the Central Government of India. If the point of my Honourable friend is whether communal proportions will be recognised in making the selections, I want to tell him that I do propose to apply that principle.

**Sardar Sant Singh :** Will preference be given to those who are better qualified so far as educational qualifications are concerned.

**The Honourable Dr. B. R. Ambedkar :** It will be one of the qualifications.

**Mr. Lalchand Navalrai :** May **I** know from the Honourable Member whether these officers will be selected by the heads of the particular Departments or by some committee.

**The Honourable Dr. B. R. Ambedkar :** They are selected by the different Departments.

**The Muhammad Yamin Khan :** Are they officers already in Government service ?

**The Honourable Dr. B. R. Ambedkar :** Yes, they will be officers already in service.

**Shrimati K. Radha Bai Subbarayan :** May I ask if Government will include women, as welfare of women workers is very important.

**The Honourable Dr. B. R. Ambedkar :** Yes.

# 295

## * The Mines Maternity Benefit (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I beg to move for leave to introduce a Bill further to amend the Mines Maternity Benefit Act, 1941.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is :

> "That leave be granted to introduce a Bill further to amend the Mines Maternity Benefit Act, 1941."

The Motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir, I introduce the Bill.

# 296

## The Factories (Second Amendment) Bill

## @ Presentation of the Report of the Select Committee

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I present the Report of the Select Committee on the Bill further to amend the Factories Act, 1934.

# 297

## † The General Budget-List of Demands—contd.

**Mrs. Renuka Ray** (Nominated Non-Official): Sir, May I just say that I should like to move my cut motion No. 189 on the Consolidated

* Legislative Assembly Debates (Central), Vol. II of 1945, 8th March 1945, p. 1206.

@ *Ibid.,* 10th March 1945, p. 1311.

† *Ibid.,* 10th March 1945, p. 1312.

List of Motions under Demand No. 23 under the head Department of Labour, after Mr. N. M. Joshi's motion, during the time allotted to Unattached Members. The Unattached Members, Mr. Frank Anthony and Sardar Sant Singh and Mr. Hooseinbhoy Lalljee, have agreed to allow my cut motion to take precedence over theirs. I have also notified the Honourable the Labour Member accordingly. I hope you will kindly agree to this arrangement.

**Mr. President** (The Honourable Sir Abdur Rahim): Has the Government Member any objection to it ?

**The Honourable Dr. B. R. Ambedkar** (Labour Member): I do not have any rights in this matter; the matter, I think, is entirely in your discretion, Sir.

**Mr. President** (The Honourable Sir Abdur Rahim): As the Honourable Member has got the permission of those unattached Members in whose time this motion will be moved and the Government have enough time till Monday or Tuesday to be ready with their reply to the motion, I think I shall allow the motion to be entered on the agenda.

# 298

## * Registered Trade Unions

814. **Mr. Manu Subedar :** (a) Will the Honourable the Labour Member please state how many registered Trade Unions there are in India and what the total membership is ?

(b) What is the total number of persons employed in industrial concerns excluding State concerns ?

(c) On what basis have Government recognized Trade Unions for State employees such as Posts, Telegraphs, Railways, etc. ?

(d) What channel have Government provided for representation of subordinate services in the Civil Departments of the Government of India of their legitimate grievances, particularly with regard to dearness caused by the war ?

(e) What assistance or contribution or grant, direct or indirect, has been given to labour Unions in India by the Government of India during the last five years and for what purposes ?

* Legislative Assembly Debates (Central), Vol. II of 1945, 8th March 1945, p. 1171.

**The Honourable Dr. B. R. Ambedkar :** (a) On the 31st March 1942, there were 747 registered unions and the membership of 455 unions out of these (which submitted returns) was 5,73,520. I regret later information is not available.

(b) According to the latest available reports the average daily number of persons employed during 1943 in private factories subject to the Factories Act, 1934, was about 21 lakhs and that in mines subject to the Mines Act, 1923, about $3^1/_2$ lakhs. In the Assam tea plantations the average number of workers on the books was a little over 6 lakhs during 1942-43.

(c) A copy of the Rules regulating recognition of unions of industrial employees of the Central Government is laid on the table.

(d) Members of Subordinate Services in Civil Departments can represent their grievances either orally or in writing to the Heads of Departments or similarly placed officers or can approach such authorities or Government through recognised unions, staff councils or works committees, where they exist. It is also open to any aggrieved Government servant to make representations to the Head of his Department or the Government of India in accordance with the instructions laid down in Home Department Notification No. 106/38, dated the 24th August, 1938, a copy of which is laid on the table.

(e) The Railway Department grant to railway employees who are union officials certain facilities in regard to causal leave and free passes for railway journeys for attending meetings of the union. No other direct assistance is granted to labour unions as such by the Government of India.

# 299

## * Hours of Work, Wages, etc., of Labour in War Supplies Factories

@936. **Mr. Amarendra Nath Chattopadhyaya :** (a) Will the Honourable the Labour Member be pleased to state the number of hours for which the labour in factories producing War supplies and in the mines, has to work at a stretch, and what wages they are paid for their labour ?

* Legislative Assembly Debates (Central), Vol. II of 1945, 13th March 1945, p. 1407.

@ Answer to this question laid on the table, the questioner being absent.

(b) Do the same labour work in shifts in the same factories and mines ?

(c) What is the rate of overtime wages for labour in factories and mines ?

(d) What is charged for rations supplied to labour in factories and mines and what is the quantity allotted to each labourer in mills, factories and mines ? Is there any officer appointed by Government to watch the Distribution of ration to labourers in factories, mills and mines ?

**The Honourable Dr. B. R. Ambedkar :** (a) Hours of work in Factories are regulated by sections 34,36-38 of the Factories Act, 1934 and those in Mines by sections 22B and 22C of the Indian Mines Act, 1923. In the case of factories producing war supplies exemption has been granted by Provincial Governments in several cases from all or some of the provisions. Instructions have been issued that except for short periods and in emergent conditions, the hours of work should not exceed 60 a week. Ordinarily no exemption is granted from the statutory requirements as to intervals of rest. It is regretted that more precise information is not available.

Wage rates vary considerably in different classes of factories and mines and in different units in any particular class. I regret detailed information regarding wages or general averages of wages are not available.

(b) The question is not understood.

(c) Section 47 of the Factories Act, 1934, prescribes the rates of overtime wages in factories. No Exemption has generally been allowed from the provisions of this section. No overtime work is permissible in mines except in the case of an emergency involving serious risk to the safety of the mine or the persons employed therein.

(d) There is no uniformity in regard to prices charged for rations supplied to labour in factories and mills. But it is known that several employers do supply foodgrains, etc., at less than controlled rates and a large number of controlled rates.

In 'rationed' areas, workers receive the same scale of rationed articles as the general public. 'Heavy workers' are eligible for extra-rations. In addition, industrial canteens supplying cooked food now receive supplies outside the ration.

The basic standard weekly rations at controlled rates for coal-mine workers in Bihar consists of 4 seers each for the worker and adult dependent and 2 seers for a child and dal at one-fourth basic ration at a concession rate of 6 seers per rupee. In addition 1/2 seer of rice or other foodgrain is given free for each attendance at mines. Some of the collieries in Bengal have adopted the same scale with slight variations while others allow a flat rate of 6 seers per week per worker at reduced prices. In some collieries in the C.P. and Berar ration at concession rates is allowed on the scale of 6 seers a week per adult worker, $3^1/_2$ seers for each woman dependant and 1¾ for each child. No special officers of Government apart from the usual Food Rationing Organisations have been appointed to look after distribution of ration to workers. In respect of coal mines, however, six Ration Inspectors have been appointed, three for Bihar under the Bihar Government and three for Bengal attached to the Department of Mines.

# 300

## *Fixation of Minimum Living Wages of Labour

@ 937. **Mr. Amarendra Nath Chattopadhyaya :** (a) Has the Honourable the Labour Member fixed the minimum living wages of labour in factories, mills and mines in accordance with the price of essential foodstuffs and clothing required by the labouring classes ?

(b) Is there any arrangement for the education of children of the labourers in the factories, mills and mines ? Is there any educational arrangement for adult labourers ?

(c) Is there any provision for holidays with pay in factories, mills and mines ? What arrangements are there for medical treatment ?

**The Honourable Dr. B. R. Ambedkar :** (a) There is no legislation for fixing minimum wages for employees in factories including mills, or in mines.

(b) Educational facilities outside factories or mines whether for children of workers or for adult workers are provided by provincial authorities.

* Legislative Assembly Debates (Central), Vol. II of 1945, 13th March 1945, p. 1407.

@ Answer to this question laid on the table, the questioner being absent.

The owners of some undertakings have made provisions themselves for both purposes but no detailed information in this regard is available with me. The Honourable Member is no doubt aware that there is no legal obligation in this respect of the owners of industrial undertakings.

(c) There is no legal provision requiring holidays with pay to be given. As regards non-seasonal factories there is a Bill on this subject before this House which it has referred to a Select Committee.

Apart from legal provisions many concerns give to their employees holidays with pay to varying extent.

As regards medical treatment the only statutory provisions within factories and mines relate to the provision of first aid. Some concerns run dispensaries and hospitals but apart from these the employees have to depend on the medical facilities provided by the Provincial Governments.

# 301

## *Women Labour in Mines

938. **Mr. Amarendra Nath Chattopadhyaya :** (a) Will the Honourable the Labour Member be pleased to state the number of women labour in the mines and if there is child labour in mines, i.e., minors in the mines. If so, what ages ?

(b) What maternity benefits are given to women in factories, mills and mines ? How long does the Honourable Member contemplate to continue women labour in mines ?

(c) What is the function of the Labour Welfare Officers in the factories, mills and mines ? What are their qualifications ?

**The Honourable Dr. B. R. Ambedkar :** (a) In 1943 the number of women labour in mines was 72,403 (this figure includes those working above and underground). Figures for 1944 are not available. In accordance with the Indian Mines Act, no children are employed in mines.

(b) A comparative statement showing some of the important provisions of Legislation regarding maternity benefit at present in force (or in contemplation) is laid on the table of the House. Recent

* Legislative Assembly Debates (Central), Vol. II of 945, 13th March 1945, pp. 1408-09.

information from Bombay and Madras indicates that some of the mills in those provinces have increased the maternity benefit from the statutory rate of annas eight to annas twelve per day.

With regard to the second part of the question, there is no intention to withdraw women completely from work in mines.

(e) The functions of the Labour Welfare Officers generally are :

(i) to establish close contact between the employers and the workmen in all aspects of labour relations and conditions of work ;

(ii) to promote proper understanding, closer co-operation and mutual appreciation of difficulties, between the employers and the workmen;

(iii) to make constructive suggestions for workmen's welfare, and to coordinate and supervise all welfare activities of the undertakings ;

(iv) to acquaint themselves with the grievances of the workers, and to secure redress of such grievances and generally to attempt to remove causes of friction.

As regards qualifications while academic qualifications are given due importance, the essential qualification is that the candidates should have experience of social work, preference being given to those who have successfully undergone a recognised training course like that of the Calcutta University or the Sir Dorabji Tata Graduate School of Social Work, Bombay.

*Comparative Statement showing some of the important provisions of Legislation regarding maternity benefit at present in force (or in contemplation) in the provinces and the mines*

| Province | Year in which passed | Qualifying period (months) | Maximum period for maternity benefits (Weeks) | Rate of maternity benefits | Penalty for contravention of Act by employer |
|---|---|---|---|---|---|
| Bombay | 1929 | 9 | 8 | 8 annas a day or average daily wages, whichever is less. But in the cities of Bombay and Ahmedabad 8 annas a day. | Rs. 500 |

| Province | Year in which passed | Qualifying period (months) | Maximum period for maternity benefits (Weeks) | Rate of maternity benefits | Penalty for contravention of Act by employer |
|---|---|---|---|---|---|
| C.P. and Berar | 1930 | 9 | 8 | 8 annas a day or average daily wages, whichever is less. | Rs. 500 |
| Madras | 1934 | 240 days (8 months) within a period of one year. | 7 | 8 annas a day. | 250 |
| U.P. | 1938 | 6 | 8 | 8 annas a day or average daily wages, whichever is greater. | 500 for first offence and 1,000 for the second and any subsequent offence. |
| Bengal | 1939 | 9 | 8 | Ditto. | 500 |
| Punjab | 1943 | 9 | 60 days | 12 annas a day | 500 |
| Assam | 1944 | 150 days | 8 | 1. In planation Re. 1 per week for the period before confinement and Rs. 1/4/- per week for the period after confinement, provided the total cash payment is Rs. 14.<br>2. In other employments Rs. 2 per week or average weekly wage or salary whichever is greater. | 500 |
| Mines (under the Indian Mines Maternity Benefit Act.). | 1941 | 6 | 8 | 8 annas a day | 500 |

# 302

## * Training Indians in Labour Welfare in United Kingdom

@ 939. **Mr. Amarendra Nath Chattopadhyaya :** Will the Honourable the Labour Member please state if it is **a** fact that the Labour Department is going to send a considerable number of men for training in labour welfare to the U. K. ? If so, why Government cannot train these people in India ? What would be the cost of their training scheme ? What would be the minimum qualification required of such trainees ?

**The Honourable Dr. B. R. Ambedkar :** (a) It is proposed to send in the first instance, three batches of 20 officers each, of whom about 12 will be officers of the Central Government and 8 of Provincial Governments and States. Financial sanction has been accorded to the sending of 12 Central Government officers with the first batch of trainees.

In the initial stages the training and experience necessary for labour administration in the immediate post-war period cannot be acquired in India except by **a** lengthy process of trial and error. It is therefore, necessary to take advantages of the experience and practice of other more highly industrialised countries like the United Kingdom.

The cost to the Central Government is estimated at Rupees one lakh for the nominees in the first batch. The Provincial Governments and States will bear the charges in respect of their nominees.

The minimum qualifications are that the officers should be under Government employment or designated to fill posts under Government and should have experience of welfare work or administration of labour legislation. Officers having high educational qualification will be given preference.

# 303

## † Factory Inspectors and Labour Welfare Officers in Delhi Province

964. **Shrimati K. Radha Bai Subbarayan :** Will the Honourable the Labour Member please state :

(a) the number of Factory Inspectors and Labour Welfare Officers in the Delhi Province, and if they include women ;

* Legislative Assembly Debates (Central), Vol. II of 1945, 13th March 1945, pp. 1409-10.

†*Ibid,* p. 1422.

@ Answer to this question laid on the table, the questioner being absent.

(b) whether these officers have reported on the urgency for providing proper residential quarters for workers in factories ; and, if so, what steps Government have taken or propose to take in the matter; and

(c) if the answer to (b) is in the negative, whether Government propose to call for an immediate report on the subject ?

**The Honourable Dr. B. R. Ambedkar :** (a) There are two full-time Factory Inspectors and two Additional Factory Inspectors. The latter are part time. There is no Labour Welfare and Maternity Centre. Delhi Municipality, exercises the powers of an inspector under the Bombay Maternity Benefit Act, 1929 as extended to Delhi.

(b) No, the latter part does not arise.

(c) Government will take up for consideration in due course the general question of housing of industrial labour. It is not therefore proposed to call for special report in respect of Delhi Province only.

**Shrimati K. Radha Bai Subbarayan :** May I know, Sir, if Government will consider the proposal to appoint a whole-time Woman Welfare Officer ?

**The Honourable Dr. B. R. Ambedkar :** Yes, I will consider that.

**Mr. N. M. Joshi:** What is the meaning of "due time" regarding housing ?

**The Honourable Dr. B. R. Ambedkar :** I do not think it is a very unusual expression which requires explanation.

# 304

## *Contract System for Engagement of Labour in Delhi Factories

965. **Shrimati K. Radha Bai Subbarayan :** Will the Honourable the Labour Member please state ; if labour is still engaged in factories in Delhi by contract system ; and, if so, (i) the names of the factories who have that system ; (ii) the number of workers, men and women, employed under that system, by each of those factories ; (iii) the average daily wage of the workers and the rate of dearness allowance ;

* Legislative Assembly Debates (Central), Vol. II of 1945, 13th March 1945, pp. 1422-23.

and (iv) if the workers receive the benefits under the Factories and Maternity Benefits Acts ?

**The Honourable Dr. B. R. Ambedkar :** Yes, in the case of some factories. A list of such factories is laid on the table. No information is available as regards the number of workers employed through contractors but the number of such persons is small and is limited to coal handling and loading. Information in regard to the average daily wage and the rate of dearness allowance is not readily available, but dearness allowance varies from Rs. 10 to Rs. 32 per month and in factories where no dearness allowance is paid the basic wages have been increased. All factory workers receive benefits under the Factories and the Bombay Maternity Benefit Acts.

*List of Factories in Delhi in which part of the labour force is employed through Contractors referred to in question No. 965, dated the 13th March, 1945.*

1. Birla Cotton Spinning and Weaving Mills Ltd.
2. Mahabir Cotton Spinning, Weaving and Manufacturing Co., Ltd.
3. Delhi Cloth and General Mills Co., Ltd.
4. Latifi Printing Press.
5. Gwalior Potteries Ltd.
6. Ishwar Potteries Ltd.
7. Delhi Flour Mills Co. Ltd.
8. Delhi Central Electric Power Authority Ltd.
9. Tin Printing and Metal Works Ltd.
10. Ganesh Flour Mills (Vegetable Products Factory).
11. Aggarwal Hosiery Mills.
12. Ordnance Clothing Factory.
13. Malik and Qureshi.
14. H. S. Sidhu, 26, Daryaganj, Delhi.
15. Girdhari Lai Gauri Shanker Textile Factory.
16. Messrs. Pearey Lai and Sons (Lahore) Ltd.
17. The Premier Textile Factory.
18. Phoenix Cotton Tape Factory.
19. Sharma Textile and General Manufacturing Co.,
20. Messrs. Aggerllios and Co., 50-Garriston Bastion Road, Delhi.
21. Messrs. Aggerllios and Co., 11-B, Faiz Bazar, Daryaganj, Delhi.

22. British Niwar Factory.

23. Yadev Niwar Factory.

24. Delhi-Press.

25. Saksaria Printing Works.

26. British Motor Car, O. B. F. Co., Section.

**Shrimati K. Radha Bai Subbarayan :** Since Delhi is so near New Delhi will Government assure me that they will secure this information as soon as possible ?

**The Honourable Dr. B. R. Ambedkar:** Yes, in due time.

**Prof. N. G. Ranga :** In view of the admitted evils of this contract system of recruiting labour, will Government take early steps to put an end to it ?

**The Honourable Dr. B. R. Ambedkar:** This is not a matter in which Government is concerned.

**Prof. N. G. Ranga :** Is it not a fact that the Royal Commission on Labour recommended to the Government that they should take special steps to root it out ?

**The Honourable Dr. B. R. Ambedkar :** If my Honourable friend is referring to such labour as is employed through contractors in Government departments, that matter will certainly be considered.

**Mr. N. M. Joshi :** May I know whether Government consider welfare of labour recruited under contract system as not a matter of labour welfare ?

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend is quite entitled to draw any inference he likes.

# 305

## * Average Wage of Women in Delhi Factories

967. **Shrimati K. Radha Bai Subbarayan :** Will the Honourable the Labour Member please state :

(a) the average wage of women employed in factories in Delhi; and whether they are paid at a daily or monthly rate ;

(b) the dearness allowance paid to them ;

* Legislative Assembly Debates (Central), Vol. II of 1945, 13th March 1945, pp. 1424-25.

(c) if there is any difference in the wages and dearness allowance paid to the men and women workers doing the same kind of work ; and, if so, the reasons for the difference ;

(d) whether the women engaged under contract system receive the same wages and dearness allowance as those directly recruited, and the reasons for the difference, if any ?

(e) whether any of the factories provide facilities for maternity and Child Welfare ; and if so, in what manner ;

(f) whether any of these factories provide creches and make other arrangements for the care of the children of their employees ; and

(g) if the answers to (e) and (f) are in the negative, whether Government propose to take immediate steps to compel the owners of factories to make the necessary arrangements ?

**The Honourable Dr. B. R. Ambedkar :** (a) Data in respect of the average wage of women employed in factories in Delhi is not readily available. In some factories women are paid at monthly rates and in others at piece or daily rates.

(b) No detailed information is available but the dearness allowance paid to women workers ranges from Rs. 10 to Rs. 32.

(c) So far as is known, there is no difference in wages and dearness allowance paid to men and women doing the same kind of work.

(d) So far as is known women in factories are engaged direct and not through contractors.

(e) Two factories provide facilities for maternity and child welfare. (f) Yes, two factories provide creches. In one factory free baths are provided daily to the children of employees and under-nourished children are supplied daily half a seer of milk free of cost. In the other factory free education is given to the children of employees in the school run by the factory and half a seer of milk each is given daily to all the children free of cost.

(g) Does not arise.

**Sir Vithal N. Chandavarkar :** May I know whether the Province of Delhi has no Labour Department of its own ?

**The Honourable Dr. B. R. Ambedkar :** I must have notice of that question ?

**Mrs. Renuka Ray :** May I ask whether it would surprise the Honourable the Labour Member to hear that there are 3,500 women

in the thread ball factories who do not get any dearness allowance and that men and women are not paid equal wages and is he willing to inquire into this and if he finds it is so, will he take steps immediately to rectify their grievance ?

**The Honourable Dr. B. R. Ambedkar :** I am sure that nothing that comes from the Honourable lady will surprise me.

**Mr. N. M. Joshi**: With reference to his reply to part (a) that the information is not readily available, may I know whether he will make very special effort to make it available ?

**The Honourable Dr. B. R. Ambedkar :** I will see what I can do.

**Shrimati K. Radha Bai Subbarayan :** May I know, Sir if Factory Inspectors do not send periodical reports to the Government ? How is it that Government say that they have not got the information ?

**The Honourable Dr. B. R. Ambedkar :** It must be going to the Chief Commissioner of Delhi.

**Prof. N. G. Ranga :** Sir, I wish to seek your guidance in regard to the reply given by the Honourable Member. It appears to me that it is a sort of aspersion cast upon a lady.

**Mr. President** (The Honourable Sir Abdur Rahim): I do not think the Honourable Member meant to cast any such aspersion. However, you ought to leave it to the lady who put the question to take care of herself.

**Mr. T. S. Avinashilingam Chettiar :** Mr. President, especially today the replies of the Government Benches have been in a tone that is unusual and we had occasion to know about it from the Food Member. And now, Sir, the reply of the Honourable Member to the lady is this. She asked whether he will enquire.

**The Honourable Dr. B. R. Ambedkar :** No. Whether I would be surprised to know that.

**Mrs. Renuka Ray :** And would he be willing to look into the matter ?

**Mr. President** (The Honourable Sir Abdur Rahim): As regards the tone of the Honourable Member's reply to the question it is very difficult for mc to judge for I am afraid so far as that is concerned it is not only one part of the House that is concerned.

(At this stage, several Honourable Members stood up and spoke simultaneously.)

**Mr. President** (The Honourable Sir Abdur Rahim): Order, order.

# 306

## * Re-employment of a Government Servant after Conviction

972. **Mr. Muhammad Hussain Choudhury :** With reference to the reply to starred question No. 407 on the 14th March, 1944, regarding re-employment of a Government servant after conviction, will the Honourable the Labour Member please state whether any enquiry was made in regard to the Government servant referred to in that question ? If so, what was the result of that enquiry, and what action was taken by Government ?

**The Honourable Dr. B. R. Ambedkar :** Yes. Though the individual had been dismissed by the Punjab Government, that Government had permitted him to take up employment either in the Central Public Works Department or elsewhere. In view of this and the fact that he has been continuously employed in the Central Public Works Department since February, 1942, no further action was considered necessary.

**Maulvi Muhammad Abdul Ghani :** What was the charge for which the particular person was dismissed by the Punjab Government?

**The Honourable Dr. B. R. Ambedkar :** Mere assault.

# 307

## @ Post-War Plans for Improving Labour

1043. **Mr. T. S. Avinashilingam Chettiar :** Will the Honourable the Labour Member please state :

(a) whether Government have any post-war plans for improving labour in this country ; and

(b) whether they will consider the advisability of setting apart a portion of the profits of all organised industries for improving the standard of life and giving education to the labourers employed in the respective industries ?

**The Honourable Dr. B. R. Ambedkar :** (a) Government's final plans in this respect have not been formulated.

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* Legislative Assembly Debates (Central), Vol. I of 1945, 13th March 1945, p. 1428.

@ *Ibid.,* 16th March 1945, pp. 1598-99.

(b) The suggestion will be considered along with others in implementing Government's plans.

**Mr. Abdul Qaiyum :** When are these plans likely to be formulated ?

**The Honourable Dr. B. R. Ambedkar :** As soon as the investigating committee has reported.

**Mr. Abdul Qaiyum :** May I know if there is a time limit for this committee to report?

**The Honourable Dr. B. R. Ambedkar :** Yes, they have promised to give us their report sometime in August next.

**Prof. N. G. Ranga :** Will Government consider the advisability of expediting their plans so that before the profits earned for this year are dissipated by the industries, they may be able to set apart a portion of the profits for improving labour conditions ?

**The Honourable Dr. B. R. Ambedkar :** I shall bear the suggestion in mind.

# 308

## * Provision of Quarters for Mines

1054. **Shrimati K. Radha Bai Subbarayan :** Will the Honourable the Labour Member please state :

(a) if residential quarters arc provided for miners in all mining areas ; and if not, why not;

(b) if no quarters are provided, what steps Government propose to take to ensure that miners have proper housing accommodation ;

(c) if Government are aware that the sanitary conditions in mining areas are very unsatisfactory and that lack of good housing accommodation and proper sanitation is seriously affecting the health of the miners and their families and thereby production; and

(d) if Government propose to consult the Tripartite Conference about the matter referred to in (c); and, if not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Residential quarters are provided for miners in the important mining areas. (b) Does not arise.

* Legislative Assembly Debates (Central), Vol. I of 1945, 16th March 1945, pp. 1604-05.

(c) The Indian Mines Act lays down the primary requirements regarding sanitary and health provisions ; and the Mines Inspectorate see that they are properly observed.

(d) I shall consider the suggestion.

**Shrimati K. Radhu Bai Subbarayan :** Since the coal situation is very grave may I ask Government if they will appoint a Committee of Experts, Medical Health and Engineering, to go into the questions mentioned in (c) ?

**The Honourable Dr. B. R. Ambedkar :** We have already appointed **a** Coal Mines Welfare Committee by whom all these questions are considered.

**Mr. N. M. Joshi :** May I ask what proportion of miners are housed in the houses provided in the mining areas ?

**The Honourable Dr. B. R. Ambedkar :** I am afraid I must have notice of that question.

**Mr. N. M. Joshi :** The Honourable Member has made a wrong statement.

# 309

## * Restoration of Ban on Women Working Underground in Mines

1055. **Shrimati K. Radha Bai Subbarayan :** Will the Honourable the Labour Member please state :

(a) if Government have seen the recent report of questions and answers in the House of Commons regarding women working underground in mines ; and, if so, whether and when Government supplied Mr. Amery with the information that he stated he had called for, and what that information is ;

(b) when Government will conclude the consideration of the question of restoring the ban on employment of women underground in mines;

(c) what steps Government have taken to prevent such hardships to women ; "are low but compare favourably with the pay in other industries in India" is based on facts ; and

* Legislative Assembly Debates (Central), Vol. I of 19-45, 16th March 1945, p. 1605.

(d) if the answer to (c) is in the affirmative, the rates of pay for women workers in other industries in India ?

**The Honourable Dr. B. R. Ambedkar :** (a) Government have seen the reports in question. They do not consider it in the public interest to disclose the nature and contents of their report to the India Office.

(b) The question of the restoration of the ban on the employment of women underground in mines is constantly under review.

(c) and (d) What the Secretary of State said was that the rates of pay "compare favourably with those of other industries in that part of India". The only comparable labour is that employed on the neighbouring construction works, and Government believe that the statement is not far from truth.

(e) Arrangements have been made for ante-natal and post-natal care by the Mines Board of Health in the Jharia and Ranigunj coalfields. Some of the larger mines provide independent arrangements.

(f) Women doctors and adequate staff are employed at some of the large mines. Many mines provide midwives and nurses at hospital. The second part of the question does not arise.

**Shrimati K. Radha Bai Subbarayan :** May I ask if Government will make uniform arrangements in all mines for the welfare of women ?

**The Honourable Dr. B. R. Ambedkar :** We have that matter under consideration.

**Mr. N. M. Joshi :** In view of the fact that the House has declared itself against the employment of women below ground, will the Government of India now impose the ban in accordance with the wishes of this Legislature ?

**The Honourable Dr. B. R. Ambedkar :** I thought that the decision of the House was more of a political demarche than a decision on merits.

**Prof. N. G. Ranga :** He has wilfully misunderstood the intention of the House.

**Mr. Abdul Qaiyum :** On a point of order, is the Honourable Member free to put such an interpretation as to impute motives in regard to a well-considered decision of the House ? If so, it will be very difficult to carry on. We have an irresponsible Government, and if they are going to talk like this.....

**Mr. President** (The Honourable Sir Abdur Rahim) **:** It is a speech you are making. On a point of order you cannot make a speech.

**Mr. Abdul Qaiyum :** Can he impute motives ?

**Mr. President** (The Honourable Sir Abdur Rahim)**:** As I followed the Honourable Labour Member, I believe he wanted to convey to the House that the question was considered from more than one point of view including political. At any rate, I do not think he was imputting any wrong motive to the House by saying that the question has been dealt with on political grounds.

**Mr. Abdul Qaiyum :** On a point of explanation, the official report of what the Honourable Member said may be referred to. He said it was a political demarche.

**Mr. N. M. Joshi :** May I know if the Government of India reconsidered the question after the vole given by this Legislature ?

**The Honourable Dr. B. R. Ambedkar :** I have nothing to add to what I said.

# 310

## * Dr. Krishnan's Suggestions *re* Mineral Resources of India

1773. **Prof. N. G. Ranga :** Will the Honourable the Labour Member be pleased to state :

(a) If his attention has been drawn to the report of **a** lecture delivered by Dr. M. S. Krishnan to the Geology Association of the Presidency College, Madras, on the 14th of March, as reported in the *Hindu,* of the 14th March;

(b) What steps are being taken to obtain adequate quantities and build up reserves of copper, silver, nickel, platinum, tin, mercury, graphite and potash;

(c) what steps are also being taken to develop and exploit hydraulic (electrical) power resources in all those provinces which do not have coal mines within easy reach, so as to develop local industries;

* Legislative Assembly Debates (Central), Vol. V of 1946, 12th April 1946, pp. 3899-3901.

(d) whether any steps are being taken to draw power from wind through wind mills and to popularise the use of wind mills ; and

(e) whether Dr. Krishnan's suggestion of establishing "well-equipped laboratories" to "assess the quality and quantity of the various minerals" and also his suggestion that locally available minerals shall be utilised in preference to imports will be fully studied ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) During the war Government had a proposal under consideration to build up in India a strategic stock of certain important minerals and related substances; but it did not materialise. Government are considering a revision of its which are in short supply in India.

(c) Generally speaking steps arc being taken by Provincial and State Governments to develop and exploit Hydro-Electric Power Resources to the maximum extent of technical manpower at present available for such investigations. Central Technical Power Board is already assisting in certain cases subject to limit of its present strength in man-power and do more when adequate technical staff is procured. Government of India are fully aware of the necessity for far greater measure of Hydro-Electric System development throughout the country than is at present being undertaken, particularly in areas which are remote from major coal deposits, but they consider that this cannot be achieved without a far greater body of experienced technical personnel than at present exists and to this end are doing their utmost to recruit Specialists Technical personnel on contract.

(d) No special steps are being taken by Government of India to draw power from wind or to popularise use of Wind Mills at present. Government is advised that such installations, while useful in selected areas depending on Meteorological conditions, are individually productive only extremely small amounts of power and that too intermittently.

(e) The Geological Survey of India has been lately re-organised and its laboratory facilities considerably expanded. Further expansion in the direction of providing free advice and information on mineral and mining matters is being taken up. The recently planned National

Metallurgical and National Chemical Laboratories will be fully equipped to assess the quality of Indian minerals and in other ways prove of great assistance in the development of mineral industries. Domestic treatment and utilisation of India's minerals and ores, in preference to their export in the raw conditions, is being considered by Government. A number of industrial Panels, instituted since 1944, have collected valuable information and data under this head which are being studied for the framing of a new Mineral policy.

**Prof. N. G. Ranga :** As regards part (c), the Honourable Member says they need many more specialists in order to develop these hydroelectric power resources. What steps are Government taking to get Indians of requisite abilities and qualifications to specialise in these directions so that their services may be made use of?

**The Honourable Dr. B. R. Ambedkar :** A number of Indians have been sent abroad for training in these specialised occupations.

**Prof. N. G. Ranga :** As part of this new scheme of sending scholars ?

**The Honourable Dr. B. R. Ambedkar :** In addition to them, there are also other people who have been sent.

**Prof. N. G. Ranga :** With reference to part (d), my Honourable friend threw cold water on the suggestion to utilise wind power by saying that it could only give intermittent power and nothing more. In view of the fact that thousands of peasants are interested in these windmills, will Government try and look into this matter a little more carefully and devise ways by which they can possibly assist our peasants and others to draw as much power as is possible from wind and thus help them ?

**The Honourable Dr. B. R. Ambedkar :** As I said it depends upon how much wind there is in any particular area.

**Prof. N. G. Ranga :** There are meteorological experts and it ought to be possible for them to work out some plans and see how much power can be derived by utilising wind in different parts of the country ?

**The Honourable Dr. B. R. Ambedkar :** Yes; we have considered that.

**Mr. N. M. Joshi :** May I know if the Government of India reconsidered the question after the vote given by this Legislature ?

**The Honourable Dr. B. R. Ambedkar :** I have nothing to add to what I said.

# 311

## *Arrangements for Care of Miners' Children

1057. **Shrimati K. Radha Bai Subbarayan :** Will the Honourable the Labour Member please state :

(a) the information received by Government about arrangements for the care of children and infants of miners since the reply given to starred question No. 436 on the 21st February, 1945 ;

(b) the information received by Government on the points raised in supplementaries to that question; and

(c) whether milk is supplied free to infants and children of the miners ; and, if so, the quantity of milk given to each child according to age, and if no milk is given, the reason for not giving it ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). I have not yet received a report on all matters, but would first make clear that there is an absolute prohibition on women at any time taking babies underground, and themselves going underground for a period of 4 weeks after childbirth.

An enquiry made by the Lady Labour Welfare Officer a few months ago disclosed that women in an advanced state of pregnancy generally did not go underground and I have introduced a Bill which while giving longer benefit will prohibit them from going underground for 10 weeks before expected date of childbirth.

So far as I have ascertained no organised facilities exist for mothers to come to the surface to feed their babies at regular intervals, but the Lady Welfare Officer states that there is a tendency for women with children at home to leave the mines early to return to their homes.

(c) In a few mines only Government are examining further possibilities in regard to improvement of health of women and children in mining areas.

* Legislative Assembly Debates (Central). Vol. I of 1945, 26th March 1945, p 2006.

**Prof. N. G. Ranga :** In regard to that tendency for mothers who have left their children at home to leave the mines a little early, are they made to suffer any loss of wages because they leave a little early, or are they encouraged to leave the mines early without loss of pay ?

**The Honourable Dr. B. R. Ambedkar :** They are paid by tubs: it is piece work.

**Shrimati K. Radha Bai Subbarayan :** How many hours at a stretch do they work ?

**The Honourable Dr. B. R. Ambedkar :** It is piece work ; they can go any time and come at any time.

# 312

## * Tea Garden Labourers sent on Assam Projects

1313. **Dewan Abdul Basith Choudhury :** (a) Will the Honourable the Labour Member please state whether he is aware that a large number of persons have been sent by the Managers of Tea Gardens to projects in Assam as labourers ?

(b) Is the Honourable Member also aware that no compensation has yet been granted to the dependents of many labourers who have lost their lives while engaged in project work ?

(c) Is it a fact that in those cases where compensation has been granted to the dependents of the deceased project workers, the amount paid is Rs. 200 to Rs. 300 ? Is this amount considered adequate ?

(d) Is the Honourable Member aware that the dependents of these unfortunate labourers are experiencing great difficulties in receiving payments of the compensation money ?

(e) Does the Honourable Member propose to consider the desirability of paying adequate compensation to the dependents of all labourers who have their lives in the projects ?

(f) Does he also propose to consider the desirability of paying the compensation money through the Sub-Divisional Office instead of through the Tea Garden Office ?

* Legislative Assembly Debates (Central). Vol. I of 1945, 26th March 1945, p. 2007.

**The Honourable Dr. B . R. Ambedkar :** (a) Yes.

(b) The information is not correct. The Government of India in the War Department have directed payment of compensation to all labourers recruited by the Indian Tea Association (besides some other categories of labourers who have either lost their lives or have been injured as a result of their employment in the War projects in Assam. The Controller of Emigrant Labour has been appointed Commissioner of Workmen's Compensation for the settlement of these claims. He has paid compensation in over 4,000 cases within the last two years. The number of applications for compensation received by him on behalf of the Labourers of the Indian Tea Association alone up to 28th February 1945 is 2,612. Of these payments have been made in 2,309 cases. 217 cases have been rejected and 86 cases are under enquiry.

(c) Compensation is paid according to the rates under the Workmen's Compensation Act in all cases coming under the operation of the Workmen's Compensation Act and in other cases *Ex-Gratia* payments of Rs. 900 for death and Rs. 1,200 for total disablement are paid. A preliminary payment up to Rs. 300 is paid in the first instance. The Honourable Member is apparently referring to this preliminary payment.

(d) The amounts of compensation ordered to be paid in lump sums are paid through the Deputy Commissioner of the Managers of Tea Estates if the dependants live in Tea Estates. In the case of minors and persons incapable of taking care of large amounts, the amounts are invested in the Post Office by the Commissioner of Labour, Assam, and remitted to them in periodical instalments by Postal Money Order. There has been some delay in the investment and remittance in the early stages as the Postal Department were unable to deal with the large number of investments but remittances are now issued systematically.

(e) As stated in reply to part (c) the rates of compensation paid in cases coming under Workmen's Compensation Act are those laid down in the schedule of the Act. In the other cases the amounts of Rs. 900 for death and Rs. 1,200 for permanent total disability have been based on the rates admissible under the Act to a labourer receiving similar cash emoluments. These rates of compensation are considered adequate.

(f) In most of the cases the dependants are minors or persons incapable of taking care of large amounts. The amount invested in these cases are paid in instalments through Postal Money Order. Only preliminary payments and lump sum payments are made through the Deputy Commissioners and Managers of Tea Estates. The amounts are sent to the Managers of Tea Estates only in cases in which the dependants live in tea Estates. It is found expedient to do so because the Managers will be in a position to identify the dependants, effect the payment promptly and forward the acquittance to the Commissioner of Workmen's Compensation. This system has worked satisfactory so far.

# 313

## * Bad Health of Labourers Returned from Assam Projects

1314. **Dewan Abdul Basith Choudhury :** (a) Is the Honourable the Labour Member aware that several hundred labourers returned from the project works in Assam in a very bad state of health ?

(b) Is he also aware that a large number of them are still suffering from various diseases ?

(c) Is it a fact that no proper arrangements have been made for their treatment ?

(d) If the replies to parts (a) to (c) be in the affirmative, does he propose to consider the desirability of representing the difficulties of these unfortunate labourers to the authorities concerned ?

(e) If the replies to parts (a) to (c) be in the negative, does he propose to enquire and lay the result of the enquiry on the table of the House ?

**The Honourable Dr. B. R. Ambedkar :** (a) Virulent forms of malaria and some other diseases are incidental to the work in the unhealthy jungle tracts of Assam where the war operations have been in progress; therefore some labourers returned from the projects in a bad state of health. The *Ex-Gratia* payments of compensation for deaths by diseases have therefore been specially ordered to be paid by the Government of India as there is no provision for payment

* Legislative Assembly Debates (Central), Vol. I of 1945, 26th March 1945, p. 2010.

of compensation in such cases under the Workmen's Compensation Act. Compensation is paid also to labourers who on returning from projects die of diseases contacted in the projects.

(b) The Government have no information.

(c) The labourers returning to Tea Gardens are treated in the Garden Hospitals as in the case of other Tea Estates labourers and those returning to villages may avail of the treatment in the local hospitals. No other medical arrangements are practicable in the case of labourers who return individually to their gardens and villages.

(d) The question does not arise in view of the answers to (a), (b) and (c).

(e) The facts ascertained have been stated above.

# 314

## * Grievances of Employees of Government of India Press, Calcutta

1315. **Mr. Abdul Qaiyum :** Will the Honourable the Labour Member please state:

(a) Whether the employees of the Government of India Press, Calcutta, submitted memorials on the 20th December, 1944, and 24th January, 1945;

(b) the nature of the grievances mentioned therein; and

(c) the action taken or proposed to be taken by Government ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) The employees asked for (1) increase in basic wage and fixation of a minimum wage of Rs. 10 p.m. (2) grant of enhanced dearness allowance, (3) concessional rates of grain supply, (4) reduction in working hours, (5) extension of casual leave to piece workers, (6) abolition of the piece system, and (7) abolition of the system of classifying employees as superior and inferior and the grant to inferior employees of the privileges allowed to superior employees.

(c) Items at (2), (3), (5) and (7) referred to in part (b) are under consideration. It is not possible to consider the other items during the present emergency.

* Legislative Assembly Debates (Central), Vol. I of 1945, 26th March 1945, p. 2010.

# 315

## * Hours of Work for Employees of Government of India Press, Calcutta

1316. **Mr. Abdul Qaiyum :** Will the Honourable the Labour Member please state :

(a) the total number of hours of work per week for the employees of the Government of India Press, Calcutta;

(b) whether the Bengal Government have reduced the hours of work of the Bengal Government Presses to forty hours per week within a bonus ; and

(c) whether Government propose to reduce the hours in their Presses : if not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) 48.

(b) The hours have been reduced to 40 per week but no bonus has been granted.

(c) No reduction can be contemplated during the present emergency.

# 316

## @ Revision of Scale of Pay of Employees of Government of India Press, Calcutta

1317. **Mr. Abdul Qaiyum :** Will the Honourable the Labour Member please state :

(a) whether the dearness allowance granted to the Press employees corresponds to the abnormal rise in the cost of living ;

(b) when the last revision of pay of the Press employees of Calcutta took place ;

(c) whether the Government Press employees in Calcutta have to pay more for rationed and non-rationed articles than the Railway and other employees ; and

* Legislative Assembly Debates (Central), Vol. I of 1945, 26th March 1945, p. 2010.
@ *Ibid.* p. 2010.

(d) whether Government propose to revise the scale of pay ; and, if not, why ?

**The Honourable Dr. B. R. Ambedkar :** (a) The existing rates of dearness allowance were fixed with due regard to the rise in prices and a revision thereof is under consideration.

(b) In 1924. The revised rates of pay for new entrants were introduced in 1933 and 1934.

(c) Yes. They have to pay more as compared with Railway employees but the concessions admissible to them are the same as for all other employees of the Central Government.

(d) Government do not propose to undertake any general revision of pay during the present emergency.

# 317

## * Leave Benefit to Piece Workers of Government of India Press, Calcutta

1318. **Mr. Abdul Qaiyum :** Will the Honourable the Labour Member please state :

(a) whether the piece workers in the Calcutta Central Government Press are entitled to the same leave benefit as the salaried employees;

(b) whether the salaried employees in Delhi and Calcutta are entitled to the same casual leave; and

(c) if not, whether Government propose to equalise the condition in Delhi and Calcutta ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) No.

(c) Salaried employees in all the Government of India Presses have been granted casual leave up to 15 days in a calendar year. Government of India have, in view of the climate and other conditions raised the limit of casual leave to 20 days per year for all Central Government servants in Delhi including the New Delhi Press employees. The higher limit of casual leave is not extended only to the Calcutta Press employees.

* Legislative Assembly Debates (Central), Vol. I of 1945, 26th March 1945, p. 2010.

# 318

## * Desirability of Giving Certain Benefits to Inferior Servants of Government of India Press, Calcutta

1319. **Mr. Abdul Qaiyum :** (a) Will the Honourable the Labour Member please state if it is not a fact that the inferior servants of the Government of India Press, Calcutta, are not entitled to get any benefit enjoyed by the superior servants, such as General Provident Fund, permanent service, house allowance, Medical leave, etc. ?

(b) If so, do Government propose to sanction all the privileges to the inferior staff as are enjoyed by the superior staff ?

(c) Is it not a fact that employees of the Government of India Press, Calcutta, appointed after 1928, are not allowed the compensation leave in lieu of attending on holidays ?

(d) Is it not a fact that only 25 per cent, allowance is granted to the employees for attending on closed holidays and that no payment is made for attending on non-closed holidays ?

(e) If so, under what circumstances have the employees appointed after 1928 been deprived of the benefit of compensation leave ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). No. They are entitled to medical leave. Permanent inferior servants are also entitled to the benefits of permanent service, e.g., pension, leave on average pay or earned leave and extraordinary leave. The question of granting them house rent and other privileges is under consideration.

(c) Yes.

(d) In lieu of compensatory leave they are paid overtime for working on closed holidays at 25 per cent above their normal rates.

(e) For administrative reasons.

# 319

## @ Schemes for Technical Education of Students Abroad

1320. **Dewan Abdul Choudhury :** (a) Will the Honourable the Labour Member be pleased to state whether there are two different schemes before Government for sending students abroad for higher

* Legislative Assembly Debates (Central), Vol. I of 1945, 26th March 1945, p. 2010.
@ *Ibid.*

technical education ? If so, what are the main features of the two schemes ?

(b) Is the training scheme sponsored by the Labour Department different from the scheme of the Education, Health and Lands Department ?

(c) Is the proposed scheme akin to the Bevin Training Scheme ?

(d) What are the technical subjects which Government contemplate to provide for the students abroad ? And what will be the duration of training on each subject ?

(e) What type of jobs, do Government contemplate to offer to the successful candidates after they return from abroad ?

(f) Are Government selecting the students on a fixed quota basis from each of the Provinces and maintaining the proportion of different communities ? If so, how many students will be sent from Bengal and Assam ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). There are two distinct schemes. The first is for sending students abroad for higher studies in technical and scientific subjects ; the second is for sending abroad technicians already employed in industry for further training or for enlarging their industrial or professional experience. The former scheme is dealt with by the Education, Health and Lands Department and the latter by Labour Department.

(c) The proposed scheme is in a way an extension of the Bevin Training Scheme. The object is to provide higher technical training for the more important supervisory post in industry.

(d) The types of training contemplated under the Labour Department scheme are : Mechanical Engineering, Electrical Engineering, Radio Manufacture, Ship-building, Aeronautical Engineering, Marine Engineering, Civil Engineering, Structural Engineering, Metallurgy, Generation of Electricity, Locomotive Construction, Chemical Engineering, Fertilisers, Plastics, Glass, Steel Manufacture.

This list is not exhaustive and other types of training will be considered, if required.

Normally the period of training will be one year, but may be extended to two years in individual cases.

(f) No quotas have been allotted. Provincial Governments have been asked to make their own nominations for which they will bear the

cost. Private employers are also making their own nominations. Government of India will make a final selection from these nominations.

# 320

## * Workers in Mica Mines of Gudur Division

1327. **Shrimati K. Radha Bai Subbarayan :** Will the Honourable the Labour Member please state :

(a) the number of workers—men and women—employed for underground and surface work in the mica mines of the Gudur Division;

(b) their average daily wage and dearness allowance;

(c) if it is a fact that they are engaged mostly through contractors who lake a percentage of the wages; and, if so, the reasons for permitting this system ; and

(d) if Government propose to hold an inquiry about the conditions in these mines and report to this House? If so, when?

**The Honourable Dr. B. R. Ambedkar :** (a) The number of male and female workers employed in Mica Mines in the Gudur area is approximately 7,000 and 4,000 respectively. No women are employed underground.

(b) Average daily wage is Rs. 12 for men and Rs. 7 for women. As wages were raised recently, no dearness allowance is paid.

(c) As far as is known labour is engaged and paid direct by the mine-owners, and not through contractors.

(d) No; the second part does not arise.

# 321

## @ Applying Factories Act, etc. to Mica Splitting Factories in Gudur Division

1328. **Shrimati K. Radha Bai Subbarayan :** Will the Honourable the Labour Member please state :

(a) if it is a fact—(i) that the Factories Act is not applied to the Mica Splitting Factories in the Gudur Division;

*Legislative Assembly Debates (Central), Vol. I of 1945, 26th March 1945, p. 2014.

@ *Ibid.*

(ii) that the large majority of workers employed here are women and that they receive no advantage of the Maternity Benefits Act, (iii) that there are no arrangements for the care of infants and children of the women workers, and (iv) that the premises are in an insanitary condition without sufficient ventilation ; and

(b) whether Government propose to take steps to apply the Factories and Maternity Benefits Acts to these factories, improve labour conditions and provide adequate facilities for the care of infants and children of the women workers and report to this House about this matter?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). The administration of the Factories Act and of the Madras Maternity Benefits Act is the responsibility of the Provincial Government. As regards a survey of the working conditions of labour in the Mica Splitting Factories in Gudur Division, the Labour Investigation Committee is engaged on the work. Government will consider in due course proposals which will be made by the Planning Committee for labour which Government hope to set up after the Labour Investigation Committee's work is over.

# 322

## * Rule *re* Appointment of Qualified Copyholders and Revisers as Junior Readers in Government of India Presses

1330. **Mr. Badri Dutt Pande :** (a) Will the Honourable the Labour Member be pleased to state whether Government have recently received any memorials from the employees of any Government of India Presses regarding their hardships created by the anomalies which exist in the present rule governing the appointment of qualified Copyholders and Revisers in the Junior Readers' post ?

(b) is it a fact that in May, 1940 the Government of India Press Workers' Union, New Delhi, sent a representation to the Secretary, Labour Department, fully approved by Mr. Asaf Ali, M.L.A. (Central), who was the President of the Union, for amending the rule so that

* Legislative Assembly Debates (Central), Vol. I of 1945, 26th March 1945, p. 2020.

earlier passed candidates might get preference over subsequent qualified men ?

(c) Do government propose to consider the advisability of amending the existing rule in the light of these memorials ?

**The Honourable Dr. B. R. Ambedkar :** (a) Memorials have been received from three copyholders of the Government of India Press, New Delhi, but there is no allegation of hardship or anomaly in the present rules governing appointment to readers' posts.

(b) Yes.

(c) The memorials will be considered on their merits.

# 323

## * Irregular Appointments in Certain Branches of C.P.W.D.

1351. **Syed Ghulam Bhik Nairang :** (a) Will the Honourable the Labour Member please state whether under the rules about communal representation in the services, an appointment made against those rules should be cancelled ?

(b) Is it a fact that it was found that an irregular appointment of a Sikh was made in the Horticulture Department of the Central Public Works Department ?

(c) Is it a fact that the appointment was not cancelled, but the Muslim, who should have been appointed to that vacancy, was assigned his correct position in the seniority list ?

(d) Is it a fact that some irregular appointments were also made in the cadre of Electrical Engineers ?

(e) Is it a fact that it was decided not to cancel those appointments but to assign the Muslims their correct position in the seniority list ?

(f) Is it a fact that subsequently the orders about seniority were also cancelled and seniority was fixed according to the dates of the irregular appointments of non-Muslims ? If so, why ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) No.

*Legislative Assembly Debates (Central), Vol. I of 1945, 26th March 1945, p. 2025.

(c) Two vacancies in the grade of Horticulture Subordinate arose simultaneously, of which the first was reserved for a Muslim and the other was unreserved. A Muslim was selected against the Muslim vacancy and a Sikh against the unreserved vacancy. The Sikh joined his appointment earlier than the Muslim, as the latter was employed elsewhere and could not be released in time by the office where he was employed. As the first of the two appointments was earmarked for the Muslim he was placed higher than the Sikh in the seniority list.

(d), (c) and (f). Certain officiating appointments in the grade of Electrical Engineer were made without observing the strict order of communal rotation laid down in the orders regarding representation of minority communities in the public service. These appointments had to be made at very short notice in connection with urgent war works in Eastern India and it was administratively impracticable to follow the prescribed communal rotation in making these appointments. The appointments were not, therefore, cancelled, and the seniority of the officers concerned was fixed in accordance with their respective dates of appointment. No orders fixing the seniority of any Muslim officer in the grade of Electrical Engineer were passed and cancelled later.

# 324

## * Affording Certain Maternity Benefits to Women Mine Workers

1358. **Mr. T. S. Avinashilingam Chettiar :** Will the Honourable the Labour Member please state:

(a) in pursuance of his anwer to starred question No. 437, asked on the 21st February, 1945, whether Government have examined the matter of extending the time when women before and after delivery should not be allowed to go within the mines;

(b) whether Government have considered the matter of every mine being provided with creches for children of mothers working in mines; and

*Legislative Assembly Debates (Central), Vol. I of 1945, 26th March 1945, p. 2028.

(c) whether, in view of the fact that statements have been made in the House by Members with personal experience that these creches are not functioning regularly, Government have taken or are taking steps to see that these are properly functioning ?

**The Honourable Dr. B. R. Ambedkar :** (a) The necessary Legislation is already before the House.

(b) and (c). The whole question of the compulsory provision of creches in mines is under consideration.

# 325

## * Scheme for Training in Technical Industries Abroad

1359. **Mr. T. S. Avinashilingam Chettiar :** Will the Honourable the Labour Member please state:

(a) apart from the training given in universities to students, as mentioned in the press communique of the Education, Health and Lands Department, whether Government have any scheme to depute and train men in technical industries, so that they can be used in the starting of industries in the post-war period ;

(b) whether the Government of India have negotiated with the Government or industrialists of the U. K. or the U.S.A. to get such men trained; and

(c) if so, in what industries ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes. Attention of the Honourable Member is invited to Labour Department letter No. TRC-II-1140, dated the 12th December, 1944, a copy of which was placed on the table of the House on the 14th February, 1945 in reply to his question No. 198.

(b) With the Governments.

(c) Negotiations on general lines and not confined to specific industries have taken place.

* Legislative Assembly Debates (Central), Vol. I of 1945, 26th March 1945, p. 2029.

# 326

## * Tonnage on Which Soft Coke Cess has been Realised

104. **Mr. K. C. Neogy :** Will the Honourable the Labour Member be pleased to state the tonnage on which the Soft Coke Cess Committee realised its cess on despatch on Soft Coke during 1941 to 1944 ?

**The Honourable Dr. B. R. Ambedkar :** The information is as follows:

| | | | |
|---|---|---|---|
| 1941 | 957,553 tons | 1943 | 354,835 tons |
| 1942 | 431,858 tons | 1944 | 445,721 tons |

# 327

## @ Miscellaneous Departments

**The Honourable Sir Jeremy Raisman :** Sir, I move :

> "That a supplementary sum not exceeding Rs. 10,00,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1945 in respect of ' Miscellaneous Departments'."

**Mr. President** (The Honourable Sir Abdur Rahim): Motion moved:

> "That a supplementary sum not exceeding Rs. 10,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending on the 31st day of March, 1945 in respect of 'Miscellaneous Departments'."

**Mr. T. S. Avinashilingam Chettiar :** The explanation given on page 27 is :

> "Due to the setting up of additional Provincial and Regional Labour Supply Committees, Labour Supply Depots and Labour Supply Bureaux."

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* Legislative Assembly Debates (Central), Vol. II of 1945, 28th March 1945, p. 2219.

@ *Ibid.,* p. 2219.

I find on page 12 under the Demand for Labour:

> "Creation of the Directorate of Unskilled Labour Supply for coordination of the work of the provincial and regional labour supply committees and the labour supply depots."

I think, Sir, there is a repetition. I should like to know what is the difference between the two.

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : That demand was quite different. It was for the pay of officers, it refers to the salaries of officers, while this is quite a different thing. This is on account of opening of certain labour supply committees, labour supply bureaux and labour supply depots. This is the cost incurred in regard to workmen and that refers only to salaries of officers of the Secretariat.

**Mr. T. S. Avinashilingam Chettiar :** I will read it again:

Due to setting up of additional Provincial and Regional Labour Supply Committees ....."

**The Honourable Dr. B. R. Ambedkar :** This is for co-ordination, that is done in the Secretariat. The item on page 12 refers to salary of officers working in the Secretariat, while this demand refers to work done outside the Secretariat.

**Mr. President** (The Honourable Sir Abdur Rahim): The question is:

> "That a supplementary sum not exceeding Rs. 10,00,000 be granted to the Governor General in Council on the 31st day of March, 1945 in respect of 'Miscellaneous Departments'."

The motion was adopted.

# 328

## * Controlled Rates of Price of Rice in Dhanbad Sub-Division

1464. **Mr. K. C. Neogy :** (a) Will the Honourable the Labour Member be pleased to state the present local controlled rates of price per maund of the different kinds of rice in Dhanbad Sub-Division in the Province of Bihar ?

(b) At what rates is the Provincial Government charging the two Coal Trade Organisations for supplying rice for the benefit of colliery

* Legislative Assembly Debates (Central), Vol. II of 1945, 29th March 1945, p. 2235.

labour ? Is any incidental charge realised by that Government from the said Organisations in addition to the controlled price of rice in Dhanbad Sub-Division ? If so, at what rate and for what reasons ?

(c) Has any complaint been received recently from the Indian Collieries Union stating that the Joint Pools are still charging from its members approximately Rs. 4 per maund of rice, over and above the local controlled prices ?

(d) Has any comprehensive report been obtained by Government in this or any connected matter, from the Welfare Commissioner who is stationed at Dhanbad ?

**The Honourable Dr. B. R. Ambedkar :** (a) The wholesale control rates for rice in Dhanbad Sub-Division are Rs. 11 and Rs. 12 per maund for coarse and medium qualities respectively. The corresponding retail rates for the 2 qualities of rice are -/4/7½* and -/5/-* per seer.

(b) The Provincial Government is charging the two coal trade organisations the basic wholesale control rate at the source of supply of Rs. 9 per maund for coarse and Rs. 10 per maund for medium quality plus -/4/-* per maund to cover administrative charges. The organisations have to pay in addition the cost of the bags and the actual incidental charges incurred in effecting despatches of rice from the source of supply to the consuming centres.

(c) Yes, Sir.

(d) No.

**Mr. K. C. Neogy :** With regard to (b), is the Honourable Member in a position to tell the House whether the resulting price which is charged to the collieries is higher than the local controlled price, having regard to all the different levies which are paid ?

**The Honourable Dr. B. R. Ambedkar :** I am afraid I have not made any calculations.

**Mr. K. C. Neogy :** That is really the point of the complaint.

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend can make the calculations.

**Mr. K. C. Neogy :** With regard to (d). I take it that this officer is an officer of the Government of India ?

**The Honourable Dr. B. R. Ambedkar :** Yes.

**Mr. K. C. Neogy :** In view of the frequent complaints received in

* *Rates are shown in annas and pies.*—Ed.

regard to this question, will the Honourable Member consider the desirability of obtaining a report from this officer as regards these matters ?

**The Honourable Dr. B. R. Ambedkar :** This work will not fall within the purview of his duties. This is a matter for the Provincial Governments.

**Mr. K. C. Neogy :** The Honourable Member is aware that the complaint amounts to this, that the Provincial Government is not fully cooperating with the Central Government in the matter of making rice supplies to the collieries reasonably cheap ?

**The Honourable Dr. B. R. Ambedkar :** I will get into touch with the Provincial Government, but I do not think I can ask the Coal Welfare Commissioner to deal with this matter.

# 329

## * Area under Irrigation in Baluchistan

1469. **Mr. Abdul Qaiyum :** Will the Honourable the Labour Member please state :

(a) the total area brought under irrigation in Baluchistan since the war began;

(b) how much of such area was brought under irrigation by Government and how much by private enterprise;

(c) the total amount spent by the Government on such projects; and

(d) whether any sums were advanced to Zamindars for bringing land under irrigation ?

**The Honourable Dr. B. R. Ambedkar :** (a), (b) and (c). No substantial areas have been brought under irrigation in Baluchistan since the war began; but two flood control schemes, sanctioned by Government, costing about, Rs. 68,000, will add about 1,000 acres. As a result of more intensive cultivation of lands under irrigation and expansion of dry farming coupled with the Administration's procurement measures, Baluchistan has become a surplus province with wheat, paddy and Jowari for export to other provinces.

(d) The information is being collected.

*Legislative Assembly Debates (Central). Vol. II of 1945, 29th March 1945, p. 2239.

# 330

## * Liquor Shops in Vicinity of Railway Coal Mines

1470. **Shrimati K. Radha Bai Subbarayan :** Will the Honourable the Labour Member please state :

(a) if it is a fact that there are liquor shops in the vicinity of Railway coal mines; and, if so, the days and hours when they are open;

(b) whether the management of these mines are aware that these liquor shops tempt miners to waste their wages on drink and ruin their health and that, consequently, the attendance of the miners and the output of coal in the mines on the day following the pay-day is adversely affected;

(c) if the reply to (b) above is in the negative, whether Government propose to call for a report on the matter; and

(d) whether Government also propose to ask the authorities concerned either to abolish liquor shops in mining areas, or to restrict the hours of opening and the quantity of liquor sold per individual and to close them fully on pay-days ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes. There are liquor shops in the vicinity of coal mines owned by railways as well as by others. I regret I have at present no information about the days and hours of opening but I shall obtain it and place it on the table of the House.

(b) No.

(c) Government will call for a general report on the relations between drink and the health and production of miners.

(d) Excise administration is a Provincial subject. On receiving a report, however, Government will consider if any recommendations appear necessary in regard to liquor shops.

I should add that about December 1944, the retail prices for distillery liquor in the Bihar coalfields was increased and the Provincial Government is watching the effect of this increase of prices before considering any other action to restrict the consumption of liquor. A report received last year from Bengal suggets that there has been

*Legislative Assembly Debates (Central), Vol. II of 1945, 29th March 1945, p. 2239.

no evidence of excessive consumption of drink in the Bengal coalfields area.

**Shrimati K. Radha Bai Subbarayan :** Sir, in view of the fact that the coal situation is very grave in this country and that it is necessary to have the utmost output from coal mines, will Government consider the importance of taking immediate steps to close down the liquor shops in their vicinity, even though it is a provincial matter ?

**The Honourable Dr. B. R. Ambedkar :** I am afraid we have no control as the Honourable Member suggests.

**Mr. G. Rangiah Naidu :** May I know if the liquor shops were located in the vicinity with the consent of the Local Government ?

**The Honourable Dr. B. R. Ambedkar :** I say, that is a matter for Provincial Government.

# 331

## * Primary Schools for Railway Coal Miners' Children

1471. **Shrimati K. Radha Bai Subbarayan :** Will the Honourable the Labour Member please state :

(a) whether there are any primary schools for children of the miners working in the Railway-owned coal mines; and, if so, the number of schools and pupils—boys and girls—attending each of them;

(b) whether the number of schools and pupils has increased or decreased since June, 1939, and what the difference now is;

(c) whether these schools are co-educational, and if there are women teachers on their staff;

(d) if a midday meal is provided to the pupils at these schools; and, if not, why not;

(e) whether these schools are under entire or partial management of the Coal Mine Authorities or under some other local authorities; and

(f) what steps Government are taking to promote elementary education among miners ?

* Legislative Assembly Debates (Central), Vol. II of 1945, 29th March 1945, p. 2239.

**The Honourable Dr. B. R. Ambedkar :** (a) Yes. I regret I have no detailed information about the number of schools but I shall obtain it. As regards the number of children of miners attending the schools, it will not be easy to obtain the information as the schools are open to other children as well.

(b), (c) and (d). I have no information but I shall obtain it and place it on the table of the House.

(c) The schools are under the management of the Hazaribagh Mines Board to which the Railway Collieries make financial contribution.

(f) The responsibility for educational facilities is primarily that of the Provincial Governments.

**Shrimati K. Radha Bai Subbarayan :** Sir, the Honourable Member told us the other day that there is a welfare committee, may I ask if the Honourable Member will draw their attention to the suggestions that I have made in this question and also get a record of the children of the miners who attend the schools ?

**The Honourable Dr. B. R. Ambedkar :** There is nothing to prohibit the Welfare Committee from interesting themselves in this and taking action in the matter.

**Shrimati K. Radha Bai Subbarayan :** I want to know, Sir, if the Government will give instructions to this Committee to give their attention to these matters ?

**The Honourable Dr. B. R. Ambedkar :** Yes, it might do. There is nothing to prevent the Committee from doing it.

# 332

## *Application of Essential Services Ordinance to Government Employees

1485. **Mr. N. M. Joshi :** Will the Honourable the Labour Member be pleased to state :

(a) whether Essential Services Ordinance applies to all Government employees; and

* Legislative Assembly Debates (Central), Vol. II of 1945, 29th March 1945, p. 2245.

(b) whether protests have reached the Government regarding non-application of the provisions of sections (5) and (6) of the Essential Services (Maintenance) Ordinance II of 1941, in regard to obligation of the Crown not to discontinue the services of the Crown servants without a reasonable cause, and the issue of rules regulating or empowering a specified authority to regulate their wages and other conditions of service ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) No.

**Mr. N. M. Joshi :** May I ask why Government have not taken steps that are necessary to be taken under the Essential Services Act ?

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend's question was whether protests were received.

* * *

***Mr. T. S. Avinashilingam Chettiar :** Item 3 in the .....

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : I am sorry I was not here to listen to the points raised by my Honourable friend, Mr. Avinashilingam Chettiar. But I should like to tell him that these quarters are permanent.

**Mr. T. S. Avinashilingam Chettiar :** All of them ?

**The Honourable Dr. B. R. Ambedkar :** Yes, and the necessity that forced us to undertake this construction.....

**Mr. T. S. Avinashilingam Chettiar :** I know that. I know my Honourable friend can give a lecture on that.

**The Honourable Dr. B. R. Ambedkar :** I think it is a great advantage that in the midst of so much money which is being spent on building temporary structures, we have succeeded in securing at least these quarters as permanent houses which will enable us to house a large number of clerks' population which will be working in the Secretariat.

* **Legislative Assembly Debates** (Central), Vol. III of 1945, 29th March 1945, p. 2261.

# 333

## * Erection of Wall Round a Mosque in Karol Bagh, Delhi

**Maulvi Muhammad Abdul Ghani :** Will the Honourable the Labour Member please state :

(a) whether he is aware that under the Delhi Muslim Wakfs Act (XIII of 1943), there has been established a Sunni Majlis-e-Awkaf; if so, whether the said Sunni Majlis-e-Awkaf is the sole Administrator of all the Wakfs in the Province of Delhi;

(b) whether he is aware of the existence of an old mosque and a grave yard attached to it in the Karol Bagh area in New Delhi near the recently constructed Government quarters and that the Muslims do offer their prayers therein;

(c) whether it is a fact that the Central Public Works Department intends to enclose the said mosque by erecting a wall around it and thereby slopping ingress of Muslims in it for offering their prayers;

(d) whether his Department has sought the permission of the Sunni Majlis-e-Awkaf to erect a wail around it;

(e) whether it is a fact that on the objections of the Mussalmans offering their prayers in the said mosque the contractor and men of the said Central Public Works Department is of the Central Public Works Department now ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) I am not aware of the existence of any old mosque although evidence of an old and unused grave-yard is visible near the recently constructed Government quarters in Karol Bagh. But I am aware of the fact that some Muslim residents of this area have recently built a pucca platform with a thatched roof and an enclosure on this area and say their prayers in this structure.

(c) In consultation with the Local Administration, Government have proposed to wall off this area in order to prevent encroachment on this Government land by either the Muslims or the Hindus. In deference to the representations received from representatives of the Muslim

* Legislative Assembly Debates (Central), Vol. IV of 1945, 2nd April 1945. p. 2304.

community this proposal has been now held in abeyance pending clarification of the legal issues involved.

(d) In view of my reply to question (b) this question does not arise.

(e) The Honourable Member is referred to my reply to question (c).

(f) The Honourable Member is referred to my reply to question (c).

**Sir Muhammad Yamin Khan :** When the Honourable Member says that the Government has decided to built a wall to stop people going on this Government land, may I ask how does it become Government land ? When it is a grave yard, how does the Honourable Member say that it is Government land ?

**The Honourable Dr. B. R. Ambedkar :** As at present advised the Government regard this to be Government land; but I am obtaining legal opinion on it.

**Sir Muhammad Yamin Khan :** Does the Honourable Member call all the English cemeteries and the Hindu Cremation ground as belonging to the Government ?

**The Honourable Dr. B. R. Ambedkar :** As I said, I am asking for legal opinion.

**Sir Muhammad Yamin Khan :** But the Honourable Member has himself said that there is a grave-yard and at the same time he calls it as Government land ?

**The Honourable Dr. B. R. Ambedkar :** That is the position as Government is advised at present.

**Sir Muhammad Yamin Khan :** By whom ?

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member has already said that he was taking legal opinion.

**Sir Muhammad Yamin Khan :** By whom is he advised ?

**The Honourable Dr. B. R. Ambedkar :** By those who are entitled to advise Government.

**Maulvi Muhammad Abdul Ghani :** May I know whether Government has made an acquisition of that portion of the land to which the Honourable Member refers as a grave-yard and mosque.

**The Honourable Dr. B. R. Ambedkar :** It is unnecessary to acquire.

# 334

## * Public Utility Concerns held by Non-Indian Interests

1591. **Mr. T. S. Avinashilingam Chettiar :** Will the Honourable the Labour Member please state :

(a) the number of public utility concerns held by British and other non-Indian interests in India; and

(b) whether any attempts were made to acquire these public utility concerns ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). The information asked for is being collected and will be laid on the table of the House.

# 335

## @ Audit of Accounts of Government of India Presses

1596. **Sri K. B. Jinaraja Hegde :** Will the Honourable the Labour Member be pleased to state :

(a) whether the accounts of the Government of India Presses are annually audited by the Accountant General, Central Revenue, New Delhi;

(b) whether copies of the audit reports are sent to his Department for perusal and action; and whether such copies were received in the last two years; if so, the action taken thereon.

(c) whether it is a fact that serious discrepancies in the accounts of paper were found in the last two reports and no action was taken on them; if so, what the reasons are; and

(d) whether Government propose to place a copy of each of the audit reports for the last two years of the New Delhi Press on the table of the House ?

**The Honourable Dr. B. R. Ambedkar :** (a) The accounts of the Presses are audited by the Accountant General, Central Revenue and other Accountants General who act on his behalf.

* Legislative Assembly Debates (Central), Vol. IV of 1945, 4th April 1945, p. 2428.

@ *Ibid.,* p. 2431.

(b) Reports are submitted by audit to Heads of Departments. Reference is made to Government of India only on points of importance or matters on which settlement cannot be reached.

(c) The 1942-43 report revealed certain discrepancies which were mostly due to wrong entries in registers. The matter is still under examination. The 1943-44 report has recently been received and is under examination by the Controller of Printing and Stationery, India.

(d) No. Important points are included in the Appropriation Accounts of the Year by the Accountant General, Central Revenues. These accounts are examined by the Public Accounts Committee and their report is laid before the Legislative Assembly.

**Sri K. B. Jinaraja Hegde :** May I know with reference to part (d) of the question whether the Honourable Member will please lay the audit reports on the table of the House ?

**The Honourable Dr. B. R. Ambedkar :** No, Sir, It is not necessary. These are included in the Public Accounts Committee reports.

**Sri K. B. Jinaraja Hegde :** May I know whether these audit reports are incorporated in full in the Public Accounts Committee reports ?

**The Honourable Dr. B. R. Ambedkar :** Such parts of it as are necessary for the purposes of the Public Accounts Committee are incorporated.

# 336

## * Central Government Servants not provided with Quarters

1606. **Sardar Sant Singh :** (a) Will the Honourable the Labour Member be pleased to state the percentage of Central Government servants servicing in Delhi and New Delhi and having a monthly salary of below Rs. 600 who have not so far been provided with any Government accommodation ?

(b) Is it a fact that a Government servant whose monthly salary is below Rs. 600 is not deprived of his quarter when he becomes out of class until accommodation of a higher type can be provided to him ?

* Legislative Assembly Debates (Central), Vol. IV of 1945, 4th April 1945, p. 2439.

(c) Will Government please state the number of Government servants in Delhi and New Delhi who were in possession of Government quarters but have been deprived of them on technical ground of transfer from one Government office to another in New Delhi e.g. from Agricultural Institute, Pusa, Government of India Press, New Delhi, A.G.P. & T. etc., to the Government of India Main Secretariat Departments ?

**The Honourable Dr. B. R. Ambedkar :** (a) About 65 per cent.

(b) Yes.

(c) The required information is not readily available and its collection at this stage would not justify the labour involved, but I would inform the Honourable Member that except in the case of the staff transferred from Government of India Press, Agricultural Research Institute and A.G.P. & T's Office, who have got their separate pool of quarters, no officer is required to vacate his quarter on transfer from one Government office to another in New Delhi.

# 337

## * Plight of Central Government Servants deprived of Quarters on Transfer to another Office in New Delhi

1607. **Sardar Sant Singh :** (a) Will the Honourable the Labour Member please state if it is a fact that in a considerable number of cases where Government servants have been deprived of their quarters, the persons concerned have a total length of permanent service under the Central Government in Delhi and New Delhi for a period of fifteen years or more ?

(b) Are Government aware that under the existing conditions, some of these Government servants who had to wait in the beginning for a number of years before they got Government accommodation, will have no chance during their service-life to get Government accommodation again ?

* Legislative Assembly Debates (Central), Vol. IV of 1945, 4th April 1945, p. 2439.

(c) Is it a fact that distinction between orthodox and unorthodox quarters has been abolished with a view to enlarge the scope of a Government servant to get accommodation in Delhi and New Delhi ?

(d) Do Government propose to consider the cases of Government servants referred to in (a) and (b) above and grant them relief in the matter of accommodation by taking into account their length of service under the Central Government in Delhi and New Delhi. If not, why not?

**The Honourable Dr. B. R. Ambedkar :** (a) The Honourable Member's attention is invited to reply to part (c) of starred question No. 1606.

(b) Officers mentioned in my reply to the last question may have to wait for their turn in the general pool, but for how long they may have to wait, I cannot say.

(c) Yes.

(d) The length of service in the general pool is always the deciding factor. Government do not consider it equitable to alter this rule in favour of any particular groups of Government servants.

# 338

## * Applications for Khas Khas Tatties from Occupants of Government Quarters in Delhi and New Delhi

131. **Mr. K. C. Neogy :** (a) Will the Honourable the Labour Member please state whether he is aware that formal applications in regard to the supply of khas khas tatties in the residences occupied by Government servants in Delhi and New Delhi during the ensuing Summer Season, 1945, were invited by the 20th March, 1945, *vide* Additional Chief Engineer (Western Zone) Central Public Works Department, circular memorandum No. WII/3708, dated the 20th February, 1945 and No. WII/3708, dated the 13th March, 1945 ?

(b) Is he also aware that the Summer allotment (1945) is not yet out ?

* Legislative Assembly Debates (Central), Vol. IV of 1945, 4th April 1945, p. 2449.

(c) If the reply to (b) above be in the affirmative, does he propose to extend the date for applying for khas khas tatties in the case of those Government servants who will be allotted quarters in April, 1945, but have none at present ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) As seasonal allotments have been dispensed with under the latest Rules, this question does not arise.

(c) Government servants who have no official quarters now and will be alloted official quarters in April, will be permitted to apply for khas khas tatties upto the end of April, although the supply of such tatties will be necessary somewhat delayed.

# 339

## * Technical Centres opened by Labour Department

1697. **Dr. Sir Zia Uddin Ahmad :** (a) Will the Honourable the Labour Member please mention the number of Technical Centres opened by the Labour Department (i) in association with Muslim Institutions, (ii) in association with non-Muslim Institutions, and (iii) in association with independent Institutions not connected with any Engineering Institutions ?

(b) How many of the Institutions under (iii) are under Muslim Administration, and how many under non-Muslim administration ?

(c) Does the Honourable Member propose to lay on the table of the House the names of all these Centres for Technicians mentioned in classes (i), (ii) and (iii) ?

**The Honourable Dr. B. R. Ambedkar :** (a) (i) 5, (ii) 74, (iii) If by "independent institutions" are meant "private institutions", there are 36.

(b) Of the 36, 2 are under purely Muslim administration.

(c) A statement is laid on the table.

* Legislative Assembly Debates (Central), Vol. IV of 1945, 9th April 1945, p. 2611.

## STATEMENT

### I. Technical Training Centres associated with Muslim Institutions

*A. Engineering :—*

1. Abdullah Fazalbhoy Technical Institute, St. Xavier College, Bombay.
2. Anglo-Arabic College Technical Institute, Delhi.
3. Muslim University Engineering College, Aligarh.

*B. Non-Engineering :—*

4. Anjuman Industrial School, Madras.
5. Shia Intermediate College, Lucknow.

### II. Technical Training Centres Association with Non-Muslim Institutions

(Excluding Centres Associated with Institutions run by Provincial Governments and States and with Railway Workshops).

*A. Engineering :—*

1. B.P. Chdy. Technical School, Krishnagar.
2. College of Engineering and Technology, Bengal.
3. D. J. Industrial School, Rajshahi.
4. Don Bosco Technical School, Krishnagar.
5. I. G. N. Co., Ltd., Sonachara Workshop, Narayanganj.
6. K. K. Technical School, Mymensingh.

**Mr. T. S. Avinashilingam Chettiar :** What is the nature of these technical centres ?

**The Honourable Dr. B. R. Ambedkar :** They are centres where technical training is given.

**Mr. T.** S. **Avinashilingam Chettiar :** For what industries ?

**The Honourable Dr. B. R. Ambedkar :** For many of the trades.

**Sir Muhammad Yamin Khan :** Is Aligarh one of them ?

**The Honourable Dr. B. R. Ambedkar :** Yes, certainly.

# 340

## * Opening of War Technicians Depot or Reception Centre

1698. **Dr. Sir Zia Uddin Ahmad :** Is the Honourable the Labour Member contemplating to open War Technicians Depot or Reception Centre ? If so, at what places ?

* Legislative Assembly Debates (Central), Vol. IV of 1945, 9th April 1945, p. 2614.

**The Honourable Dr. B. R. Ambedkar :** The Government of India propose to have a Reception Depot in each circle where civilian recruits after being selected for training may be sent for short periods before being allotted to a training centre. A statement indicating the reception depots already sanctioned, their capacity and location is placed on the table.

**Dr. Sir Zia Uddin Ahmad :** Are there many centres ?

**The Honourable Dr. B. R. Ambedkar :** The Honourable Member may see the statement and find for himself. I am placing a statement on the table.

**Maulvi Muhammad Abdul Ghani :** What is the total number of reception centres ?

**The Honourable Dr. B. R. Ambedkar :** I cannot make a calculation here.

**Mr. President** (The Honourable Sir Abdur Rahim): The Honourable Member had better look at the table.

**Dr. Sir Zia Uddin Ahmad :** It is not a big list.

**The Honourable Dr. B. R. Ambedkar :** It is a big list. I cannot read the whole thing unless you Sir, permit me to do so. India is divided into circles Northern Circle, Central Circle, N.E. Circle, S. E. Circle, Eastern Circle, Western Circle and Southern Circle.

**Dr. Sir Zia Uddin Ahmad :** What are their headquarters ?

**The Honourable Dr. B. R. Ambedkar :** The headquarters or centres for training are : Northern Circle, Lyllpur and Sonepat; Central Circle—Delhi, Akola or Nagpur; N. E. Circle—Aligarh; S. E. Circle—Gulzarbagh (Patna) and Cuttack; Eastern Circle—Hooghly; Western Circle—Worli (Bombay) and Hubli; Southern Circle— Madras, Bewada, Trivandrum and Coimbatore.

# 341

## * Developing of U. P. Technical Training Centres into Politechnique

1699. **Dr. Sir Zia Uddin Ahmad :** (a) Will the Honourable the Labour Member please state the technical training Centres in U. P. which Government are contemplating to develop into polytechnique ?

* Legislative Assembly Debates (Central), Vol. IV of 1945, 9th April 1945, p. 2614.

Is it not a fact that Government have selected two places for developing Technical training centres into Polytechnique, i.e. Dyal Bagh and Benares University ? Is the Honourable Member aware of the fact that the Aligarh Muslim University Engineering College has been omitted from the list of the Centres ?

(b) Is it not a fact that Aligarh Centre was included in the list on the special request of the Muslim League Party ? Is it not a fact that one of the Inspectors and Advisers who deal with the War Technicians' class is a Muslim ? If the answer is in the negative, what is the number of Muslim Inspectors ?

**The Honourable Dr. B. R. Ambedkar**: (a) There is no scheme under consideration of the Labour Department at present for developing any training centre, either in the United Provinces or anywhere else, into a polytechnic. The question of selecting any centre for this purpose does not therefore arise.

(b) In view of the reply given to (a) above the fist part of the question under (b) does not arise. As regards the rest of part (b) none of the Regional Inspectors under the Technical Training scheme is a Muslim and there are no officers designated as "Advisers".

# 342

## * Starting of Canteens and Cafeteria in Industrial Establishments

1700. **Sri K. B. Jinaraja Hegde :** Will the Honourable the Labour Member be pleased to state :

(a) whether Government is encouraging starting of canteens and cafeteria in all industrial establishments by the employers where food is made available at cheap rates;

(b) how many such (i) canteens, and (ii) cafetaria are started in the country in 1944-45;

(c) whether Government have offered any such benefits to the workers in the Ordinance Factories in the country;

* Legislative Assembly Debates (Central), Vol. IV of 1945, 9th April 1945, p. 2615.

(d) whether the Honourable Member is aware that the workers in the Aravankada Factory have demanded such benefits from Government; and

(e) whether Government propose to offer such benefits to their workers at Aravankadu ?

**The Honourable Dr. B. R. Ambedkar**: (a) Yes.

(b) No statistics of canteens as distinct from cafeteria are maintained. Information available shows that towards the close of 1944, there were 315 establishments for supplying cooked food and the rest provided refreshments.

(c) Yes.

(d) No.

(e) Provision already exists at the Factory for the sale of tea and other light refreshments. The question of providing meals at the Factory will be considered if the demand therefor becomes appreciable.

**Shri K. B. Jinaraja Hegde :** How many workers should apply for these benefits ?

**The Honourable Dr. B. R. Ambedkar :** Certainly, if they express a desire it will be considered ?

**Sri K. B. Jinaraja Hegde :** What is the number of workers that should apply ?

**The Honourable Dr. B. R. Ambedkar :** So far we have not prescribed any minimum for a demand of this kind.

**Prof. N. G. Ranga :** Is it one of the task of their welfare officers to encourage employers to provide these facilities for their employees ?

**The Honourable Dr. B. R. Ambedkar :** We are thinking of that.

# 343

## * Increasing of Dearness Allowance and Scales of Pay of Government of India Press Employees

1706. **Qazi Muhammad Ahmad Kazmi :** (a) Will the Honourable the Labour Member please state whether Government are aware :

(i) that the Unions of the Government of India Presses have formed a Federation of their own ;

* Legislative Assembly Debates (Central), Vol. IV of 1945, 9th April 1945, p. 2619.

(ii) that a statement has been issued by the Executive Committee of the Government Press Unions Federation, India, narrating the woeful tale of the hardship of the Press employees with some recommendations for an increase in Dearness Allowance and the scales of pay; and

(b) If the answers to (a) are in the affirmative, has any action been taken in the matter since the issue of the statement ? If not, when does he intend to take action, and in what way ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) (i) and (ii) Yes.

(b) The matter is under the consideration of Government.

# 344

## *Safeguarding of Indian Interests in Mica Mines

1709. **Prof. N. G. Ranga :** (a) Will the Honourable the Labour Member please state if his attention has been drawn to an article in the Free Press Journal of the 16th March, 1945, under the title, 'India Chief Producer of Mica' in which it is pointed out that British and American interests are trying to get control of mica mines in India ?

(b) If this is true, what precautions are Government taking to safeguard the interests of those engaged in mica industry at present, and of Indian Joint Stock Companies, who have acquired mica interests ?

(c) How many Indian Joint Stock Companies are interested in Mica mines in India ?

(d) Have any applications been received by the Controller of Capital Issues to register new companies in respect of mica, and has permission been given ? If so, to which ones ?

(e) Do Government propose to give an assurance that mica interests in the hands of Indians will not be threatened by more powerful British or American interests and that they will not be deprived of the existing rights?

**The Honourable Dr. B. R. Ambedkar :** (a) The article in question is not traceable in the Free Press Journal of the 16th March, 1945.

* Legislative Assembly Debates (Central), Vol. IV of 1945, 9th April 1945, p. 2619.

(b) The question does not arise.

(c) According to the annual returns received for the period ending 31st March 1943, the number is twenty. Later information is not available.

(d) Applications have been received by the Examiner of Capital Issues, and permission has been given in some cases. It is not the practice of the Department concerned to disclose the names of the firms with which they have been dealing.

(e) Government are alive to the necessity for putting the Indian Mica industry on a sound footing and they intend to take all possible steps to safeguard the interests of the Indian mica producer.

**Mr. Manu Subedar:** May I know why Government have not attempted to bring the small mica producers together into a combine under their supervision and guidance and why they are making the way open for foreign interests ?

**The Honourable Dr. B. R. Ambedkar :** We do not propose to take any step until we receive the report of the Committee we have appointed.

**Mr. Manu Subedar:** Will Government permit the small Indian interests to be bought out by these foreign interests ?

**The Honourable Dr. B. R. Ambedkar :** I do not wish to prejudge the issue.

**Prof. N. G. Ranga :** Meanwhile what is to happen to this industry ?

**The Honourable Dr. B. R. Ambedkar :** There is no need to fear very much on that account.

**Mr. Manu Subedar :** Will Government give an assurance to the House ?

**The Honourable Dr. B. R. Ambedkar :** As soon as the report is received we shall take all the necessary measures.

# 345

## * Bad Condition of Timarpur Quarters, Delhi

1722. **Mr. Badri Dutt Pande :** (a) Will the Honourable the Labour Member please state whether Government quarters in Timarpur were built temporarily ?

* Legislative Assembly Debates (Central), Vol. IV of 1945, 9th April 1945, p. 2630.

(b) Is he aware that these quarters are now in worst condition, that no repairs can stand for long, and that there is always a danger of some of the quarters coming down at any time ?

(c) Is he aware that the New Delhi Government quarters are cent per cent better than those in Timarpur ?

(d) Is he further aware that even in C Type of quarters there is only one water tap, whereas in the New Delhi quarters there are three to four taps ?

(e) Is he aware that neither any Executive Engineer nor any higher official has ever gone to these quarters to see whether each one has been properly repaired or not, and that no one looks after the convenience of the tenants there ?

(f) Why do Government charge the same rate of rent from those living in much inferior type of quarters where there are less facilities as compared to the New Delhi quarters ? Do Government propose to have the case examind and reduce the rent ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) No, but I am aware that these quarters require frequent repairs.

(c) The New Delhi quarters are much superior to the Timarpur quarters.

(d) Yes.

(e) No. On the other hand my information is that the quarters are regularly inspected by responsible officials of the Department. There is an Enquiry Office at site for the tenants to register their complaints.

(f) It is not possible to lay down different rates for recovery of rent from Government servants for similar type of quarters though the facilities may be somewhat less. The standard rents of Timarpur quarters are lower compared with the standard rents of similar quarters in New Delhi and consequently a larger number of occupants of these quarters pay less than 10 per cent of their salaries. The question of reducing rents does not arise.

**Prof. N. G. Ranga :** Have any steps been taken to improve the amenities for the older quarters ?

**The Honourable Dr. B. R. Ambedkar :** They have already got amenities.

**Prof. N. G. Ranga :** The Honourable Member stated in his question that water laps and other conveniences do not exist. Will the amenities be improved.

**The Honourable Dr. B. R. Ambedkar :** I will look into the matter.

# 346

## * Difficulty *re* Accommodation of Simla Staff permanently Located at New Delhi

1723. **Mr. Badri Dutt Pande :** (a) Will the Honourable the Labour Member please state the number of staff who have come down from Simla to be located permanently at New Delhi ?

(b) Is he aware that much inconvenience is being felt by the staff and others for locating such staff far away from the main Branches of the Departments or Offices ?

(c) Docs he propose to see that each departmental unit is located in one building ?

**The Honourable Dr. B. R. Ambedkar :** (a) The information is not readily available and its collection does not justify the time and labour involved.

(b) Yes.

(c) Under the present circumstances it is not always possible to accommodate the entire staff of a particular office in one building. Attempts are however made to adhere to this principle as far as possible.

# 347

## @ Government Contribution to Indian Labour Federation

1800. **Mr. Badri Dutt Pande :** (a) Will the Honourable the labour Member please state whether Government has seen a book entitled "The Story of a Sordid Episode" of Rs. 13,000 grant given by his Department to Mr. M. N. Roy as Secretary, Indian Federation of Labour, published by one Ganpat Raj ?

(b) Will Government please lay a statement of accounts showing how the amount was spent ?

(c) Will Government please state whether this grant of Rs. 13,000 per month has been included in the current years budget, and, if so, under what head the figure is shown in Demands for grant ?

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* Legislative Assembly Debates (Central), Vol. IV of 1945, 9th April, 1945, p. 2631.
@ *Ibid.,* 12th April 1945. p. 2797.

**The Honourable Dr. B. R. Ambedkar :** (a) I have, not seen the book.

(b) The attention of the Honourable member is drawn to my answer to his supplementary question to starred question No. 31 by Mr. Lalchand Navalrai on the 2nd November 1944.

(c) Yes; it is included in Demands for Grants for 1945-46 under the head "Miscellaneous Expenditure connected with the War-C.5— Expenditure on War Publicity-C. 5 (4)—Labour propaganda".

**Mr. Badri Dutt Pande :** The Honourable Member had said the other day that a statement of the accounts will be placed on the table of the House. When is he going to do that?

**The Honourable Dr. B. R. Ambedkar :** That does not arise out of this.

**Mr. Lalchand Navalrai:** If the Honourable Member has not read that book, may I tell him that there are two books, one against the other. One is by Mr. Jamnadas Mehta and the other by Mr. Roy. Will the Honourable Member send for these books and read them and he will then find that there is a contradiction between them ? Will the Honourable Member then go into this question and find out how this money has been spent-whether it has been divided half and half between them or what ?

**The Honourable Dr. B. R. Ambedkar :** I do not propose to spend my money on purchasing them. If they are sent to me, I will read them.

**Mr. T. S. Avinashilingam Chettiar :** I am sorry I could not catch the answer to part (c) of the question. Will the Honourable Member kindly repeat it ?

**The Honourable Dr. B. R. Ambedkar :** I said that the grant is in the Demands for Grants.

**Mr. T. S. Avinashilingam Chettiar :** Has the grant been enhanced or is it the same amount ?

**The Honourable Dr. B. R. Ambedkar :** It is the same amount.

**Mr. Lalchand Navalrai :** If I send these books which I have got with me, will the Honourable Member read them ?

**The Honourable Dr. B. R. Ambedkar :** If I find time, I will.

**Mr. Badri Dutt Pande :** How did the Honourable Member say in reply to my supplementary question that the question does not arise of placing a statement of accounts on the table of the House when it is definitely stated in the question that a statement of accounts should be so laid showing how the amount was spent ?

**The Honourable Dr. B. R. Ambedkar :** I have not been able to follow the question.

**Mr. Badri Dutt Pande :** You said just now that the question of laying a statement of the accounts on the table does not arise, but that is a definite part of the question as stated in part (b).

**The Honourable Dr. B. R. Ambedkar :** I am sorry. Such information as I have I will lay on the table of the House.

# 348

## * Authority for Appointment of Mica Enquiry Committees

1801. **Mr. Ram Narayan Singh :** Will the Honourable the Labour Member please state whether, according to the 7th Schedule of the Provincial Legislative List, item 27 to the Government of India Act, 1935, Mica Industry is a provincial subject ? If so, is the formation of the present Mica Enquiry Committee by the Government of India within their powers under the Act ?

**The Honourable Dr. B. R. Ambedkar :** I have nothing further to add to the reply I gave to Mr. Satya Narayan Sinha's short notice question on the same subject on the 20th of November, 1944.

**Mr. Ram Narayan Singh :** May I ask whether this is an encroachment by the Government of India on the rights of the Provincial Governments ?

**The Honourable Dr. B. R. Ambedkar :** As I said, I have nothing to add to the answer I gave.

* Legislative Assembly Debates (Central), Vol. IV of 1945, 9th April, 1945, p. 2631.

# 349

## * British-American Mica Mission

1802. **Mr. Ram Narayan Singh :** (a) Will the Honourable the Labour Member please state at whose instance the present joint British American Mica Mission was instituted ?

(b) What is the respective strength of the British and American representatives on the said Mission ?

(c) What are the purposes and functions of the Mission ?

(d) Is it only a ware measure or is the Mission to permanently continue even after the war ?

**The Honourable Dr. B. R. Ambedkar :** (a) The Joint Mica Mission was set up as a result of discussions between the Government of India and His Majesty's Government, and through His Majesty's Government with the Government of the United States of America.

(b) Three British and three United States of America representatives.

(c) The Mission under instructions from their principals, are responsible for purchasing, inspecting, accepting, paying for and despatching all mica required by the United Nations.

(d) It is only a war measure.

**Mr. Ram Narayan Singh :** May I ask why the Government of India or the Mica industry have not been represented on the Mission ?

**The Honourable Dr. B. R. Ambedkar :** It is unnecessary; it is only a purchasing Mission.

**Mr. N. M. Joshi :** May I ask whether it is a fact that the mica is sold in America for a much higher price than the price paid to the mica owners in India and if there is a profit—and a large profit—, who takes that profit ?

**The Honourable Dr. B. R. Ambedkar :** I must have notice of the question.

# 350

## @ Candidates from Hindu Backward Classes appointed as Labour Officers, etc.

1803. **Mr. M. Ghiasuddin :** Will the Honourable the Labour Member be pleased to state if any labour Officer, Labour Inspector,

* Legislative Assembly Debates (Central), Vol. IV of 1945, 9th April 1945, p. 2799.
@ *Ibid.,* p. 2799.

Labour Legal Adviser and Labour Welfare Society Officer has been appointed from amongst suitable candidates belonging to the Hindu backward classes, such as Ahirs, Gadariyas, Tcli, Tambolics, Kahars, Lohars, Barhais and Kumhars, who are hereditary occupational and artisan classes and who number sixteen to seventeen crorcs in the country ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** From information readily available, it appears that no officer from such particular classes has been appointed.

# 351

## * Facilities to Candidates from Hindu Backward Classes under Bevin and Other Technical Schemes

1804. **Mr. M. Ghiasuddin :** Will the Honourable the Labour Member be pleased to grant official facilities to the candidates of the backward classes such as Lohars, Barhais, Gadariyas, Kumhars and Kolies, who are hereditary occupational and artisan classes in the Bevin Trainees Scheme and such other technical schemes as are being formulated every now and then ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** Government have already taken special steps to help recruitment of backward classes (Scheduled Castes, etc.) in the Bevin Training Scheme. The National Service Labour Tribunals which make the selections have been directed to follow the orders in force in the different Provinces with regard to communal representation and to see that the various communities and classes are adequately represented. In addition Tribunals have been asked to associate with them a non-official of influence belonging to the Scheduled Caste and if necessary, a Muslim to guide them in determining the adequate representation of Scheduled Caste and other backward class candidates.

* Legislative Assembly Debates (Central), Vol. IV of 1945, 9th April 1945, p. 2619.

# 352

## * Hindu Backward Classes Representative on Provincial National Labour Service Tribunal

1805. **Mr. M. Ghiasuddin :** Will the Honourable the Labour Member be pleased to state if Hindu backward classes have any representative on the Provincial National Labour Service Tribunal ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** The Government of India are not aware if there are members of the Hindu Backward Classes on the National Service Labour Tribunals. Representation on the Tribunals on a communal basis is neither necessary nor practicable.

# 353

## @ Summary of Proceedings of the Fifth Meeting of the Standing Labour Committee

**The Honourable Dr. B. R. Ambedkar** (Labour Member): I lay on the table a copy of the Summary # of Proceedings of the fifth meeting of the Standing Labour Committee held at New Delhi on the 27th June, 1944.

# 354

## † Summary of Proceedings of the Sixth Labour Conference

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : I lay on the table a copy of the Summary# of Proceedings of the Sixth Labour Conference held at New Delhi on the 27th and 28th October, 1944.

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* Legislative Assembly Debates (Central), Vol. IV of 1945, 20th November 1945, p. 1001.

@ *Ibid.,* Vol. I, 21st January 1946, p. 61.

# Not printed in these debates, but copies have been placed in the Library of the House.

† *Ibid.,* Vol. I, 21st January 1946, p. 61.

# 355

## * Summary of Proceedings of the Sixth Meeting of the Standing Labour Committee

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : I lay on the table a copy of the Summary@ of Proceedings of the sixth meeting of the Standing Labour Committee at New Delhi on the 17th March, 1945.

**Shri M. Ananthasayanam Ayyangar** (Madras ceded District and Chittcr : Non-Muhammadan Rural): On a point of information. May I know why it has taken so long to these papers which were ready on the 27th of June, 1944 and on the 27th and 28th of October, 1944 on the table of the House ? Why were they not placed in the last Assembly Session ?

**The Honourable Dr. B. R. Ambedkar :** I cannot give an answer, but I will look into the matter.

# 356

## # Indian Mines (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : Sir, I move for leave to introduce a Bill further to amend the Indian Mines Act, 1923.

**Mr. President :** The question is

> "That leave be granted to introduce a Bill further to amend the Indian Mines Act, 1923."

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir, I introduce the Bill.

# 357

## † Inadequate Accommodation for Government Servant

24. **Shri M. Ananthasayanam Ayyangar :** Will the Honourable the Labour Member please state—

(a) the number of clerks and assistants in Government Departments who have applied for quarters but have not yet been allotted accommodation in New Delhi;

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* Legislative Assembly Debates (Central), Vol. I of 1946, 21st January 1946.

@ Not printed in these debates, but copies have been placed in the Library of the House.

# Legislative Assembly Debates (Central), Vol. I of 1946, 30th January 1946, p. 247.

† *Ibid.,* 5th February 1946, p. 477.

(b) the number of superintendents who have applied for but not given any Government accommodation so far:

(c) the number of houses or flats requisitioned in New Delhi and Karol Bagh areas for the use of persons in (a) and (b) above during the war;

(d) the number of houses and flats in New Delhi and Karol Bagh which have been handed over or proposed to be handed over to their owners on and from the 1st January, 1946; and

(e) when he expects those who have applied for accommodation before the 1st January, 1945, will be allotted Government accommodation ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). Applicants for quarters arc divided into two categories, viz., (i) officers drawing a pay of less than Rs. 600 and (ii) officers drawing a pay of Rs. 600 or more. All clerks and Assistants and some Superintendents come under category (i). The number of applicants under this category, who have not been allotted accommodation is 16.256. Information regarding the number of clerks and assistants or superintendents, who applied for but were not allotted quarters, is not readily available.

(c) The number of flats requisitioned in New Delhi and Karol Bagh areas for officers, drawing a pay of less than Rs. 600 is 188.

(d) 3.

(e) It is not possible to furnish the information as an applicant's propsects of securing an allottment of quarter depend on many factors which cannot all be forseen, such as the date of his posting to New Delhi, the amount of his pay, whether he is single, married or with family, his preference for a particular type of quarter, etc.

# 358

## * Surplus Government Buildings in Delhi

25. **Shri M. Ananthasayanam Ayyangar :** Will the Honourable the labour Member please state—

(a) if any of the barracks and buildings built to the north and south of the Imperial Secretariat Buildings and in other places in New Delhi for the use of the American, British and Indian personnel have now become superfluous for such use, if so, how many,

(b) the total number of rooms, etc., in the buildings in (a) above,

(c) whether any offices are now located therein, if not, what is proposed to be done will them;

* Legislative Assembly Debates (Central), Vol. I of 1946, 5th February 1946, pp. 478-79.

(d) whether it is proposed to allot such buildings now or in the near future for (i) office use, and (ii) for residential accommodation with slight alterations for kitchens and bathrooms where necessary,

(e) if the answer to (d) above is in the affirmative, whether any have been allotted so far, if so, how many, and

(f) in particular what is proposed to be done with the American barracks on the Talkatora Road, Gurdwara Road, Queensway and Connaught Place ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). I take it that the Honourable member is referring to temporary buildings which were till recently occupied by personnel other than that of the Government of India.

A statement containing the necessary information in respect of such buildings as have been surrendered to Government or as will, according to the information in the possession of Government be surrendered within the next three months is laid on the table.

(c) I confine my answer to this part of the question to the buildings which have actually been surrendered to Government. The answer is in the affirmative except in the case of the buildings surrendered only very recently which are also required by Government and are proposed to be used by them.

(d) I confine my answer to this part of the question to buildings which will be surrendered within the next three months. Such buildings are also required by Government and are proposed to be used for one or the other purposes.

(e) No, the latter part of the question does not arise.

(f) The buildings on Talkatora Road and Gurdwara Road are being used by Government for office purposes and will continue to be used so long as these are required by Government. As regards the American buildings on Cannaught place and Queensway, the method of their disposal is under consideration but they are likely to be required for Government purposes.

*Statement showing the buildings surrendered or to be surrendered to Government within the next three months in New Delhi.*

| Name of the building | Number of rooms, etc., available therein |
|---|---|
| L Block | 74 |
| M Block | 107 |
| Gurdwara Road | 106 |

| Name of the building | Number of rooms, etc., available therein | |
|---|---|---|
| Talkatora Barracks | 14 barracks | 49,000 Sq. ft. |
| | 1 barrack | 2,890 Sq.ft. |
| | Office rooms (18) | 4,446 Sq. ft. |
| | Recreation Hall with 4 adjoining rooms and godown. | 5,000 Sq. ft. |
| | Kitchen and Dinning hall. | 2,893 Sq. ft. |
| Officers quarters on the Central Vista | 288 rooms | |
| Jodhpur Mess | 120 | |
| (To be surrendered in April 1946) | ... | |
| Canning Road Barracks—'B' Block | 6 barracks (double) | 62,406 Sq. ft. |
| (To be surrendered on 21-2-46) | 1 barrack | 4,598 Sq. ft. |
| | 10 office rooms | 4,566 Sq. ft. |

# 359

## * Appointment of Mr. Harkness as Town Planning Officer, Delhi and New Delhi

**26. Shri M. Ananthasayanam Ayyangar :** Will the Honourable the Labour Member please state—

(a) if it is a fact that one Mr. Harkness has been appointed as Town Planning Officer for Delhi and New Delhi recently,

(b) the terms on which his recruitment has been made,

(c) if the post was advertised in India and applications called for from qualified or capable Indians for the post, and, if so, whether any applications were received,

(d) if the appointment was made through the Federal Public Service Commission, and, if not, why not,

(e) if he has satisfied himself that no Indian of the necessary ability was available before Mr. Harkness was given the job, and

(f) whether Mr. Harkness has had previous experience of town planning in a country like India or whether his experience has been confined to Europe and other countries ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) The post has been sanctioned for a period of 3 years and is non-pensionable. It carries a pay of Rs. 2,000 per mensem.

* Legislative Assembly Debates (Central), Vol.I of 1946, 5th February 1946, p. 479.

(c) The answer to both parts of the question is in the affirmative.

(d) The post was first advertised by the Federal Public Service Commission but no suitable candidate was available in India.

(e) Yes.

(f) Mr. Harkness's experience has been confined to Europe and countries other than India.

# 360

## * Handmade paper for Members of Legislative Assembly

31. **Seth Govind Das :** Will the Honourable the Labour Member be pleased to state whether he proposes to procure for future use of and sale to the Members of this House, handmade paper only which is manufactured as a village industry by institutions organised on cooperative basis ?

**The Honourable Dr. B. R. Ambedkar :** If all the Members of the House agree to accept and use handmade paper of the kind referred to by the Honourable Member, such paper will be procured for sale to them whenever it is available in acceptable qualities.

# 361

## @ Wells and Additional Accommodation for Members of Legislature

33. **Seth Govind Das:** (a) Will the Honourable the Labour Member be pleased to state whether it is a fact that there is a shortage of bungalows for the residence of members of both the Houses of the Central Legislature ? If so, what steps Government are taking to construct sufficient number of additional bungalows so as to provide residence for all the members ?

(b) Are Government aware that the absence of wells in these localities cause great hardship to such orthodox members of the

* Legislative Assembly Debates (Central), Vol. I of 1946, 5th February 1946, p. 481.
@ *ibid.*

families of M. L. As. who have objection to the use of tap water ?

(c) Do Government propose to take steps to construct wells, at suitable distances and places in these localities, before the members take up their residences for the next session ?

**The Honourable Dr. B. R. Ambedkar :** (a) Until the beginning of this Session no shortage was reported to Government and no complaint of shortages was received by them. A small shortage of bungalow type accommodation has just been brought to the notice of Government and the matter is now under their consideration.

(b) No.

(c) Government have not at present any such proposal under consideration.

# 362

## *Re-Constitution of Geological Survey of India

36. **Mr. K. C. Neogy :** Will the Honourable the Labour Member be pleased to state what action has been, or is proposed to be, taken in the matter of (i) reconstitution of the Geologial Survey of India in order to make it "a potent instrument for the furtherance of Government's mineral policy", and

(ii) undertaking legislation for the purpose of establishing control over minerals in terms of his statement in the Legislative Assembly on the 12th March, 1945, while defining Government's policy regarding mineral resources of India ?

**The Honourable Dr. B. R. Ambedkar :** (i) A very large expansion of the Geological Survey has been undertaken by the Central Government. The superior gazetted staff of the Survey has been increased from its pre-war strength of 27 to 102 which includes specialists, like Geophysicist, Mining Engineer.

A copy of the brochure showing the Functions and Organization of the Geological Survey of India is available in the Library of the House.

(ii) Provincial Governments were consulted in the matter and their replies are under consideration.

* Legislative Assembly Debates (Central), Vol. I of 1946, 5th February 1946, pp. 482-83.

# 363

## * Abolition of Utilisation Branch of Geological Survey of India

37. **Mr. K. C. Neogy :** (a) Will the Honourable the Labour Member be pleased to state the circumstances that led to the abolition of the Utilisation Branch of the Geological Survey of India ?

(b) Is it a fact that the Advisory Committee attached to the said Branch was at one stage, expected to function as a post-war planning committee with reference to minerals ?

(c) Which Committee, if any, is now engaged in considering questions relating to post-war policy about minerals.

**The Honourable Dr. B. R. Ambedkar :** (a) The Utilization Branch was established with a view to utilizing undeveloped mineral resources of the country for furtherance of the war effort. On the termination of the war, the emphasis changed from that of war-time production to that of a planned policy of minerals development in the country. The development of such planned policy is an integral function of the Geological Survey of India and is being pushed forward but the necessity for a separate branch for productive purposes no longer exists.

(b) Yes, but the change-over in function has necessitated a change in the personnel of the Advisory Committee.

(c) The Government of India have recently formed an expert Advisory Board to advise them on problems connected with the mineral development of the country. A copy of the Labour Department Resolution No. M102 (4), dated the 9th January 1946, constituting the committee is available in the Library of the House.

# 364

## @ Indian Bevin Boys

40. **Mr. K. C. Neogy :** (a) Will the Honourable the Labour Member be pleased to state how many Indians were trained in Great Britain under the Bevin Training Scheme ?

* Legislative Assembly Debates (Central), Vol. I of 1946, 5th February 1946, p. 483.

@ *Ibid.* pp. 484-85.

(b) How many of them have been employed in factories engaged in war production ?

(c) How many of the latter have since been discharged ?

(d) Is it a fact that a number of Indian technicians trained under the Bevin Training Scheme have been asked by the Government of India to accept places other than those in which they have specialised ? If so, for what reason, and what is the number of such technicians ?

(e) Is it a fact that, though there was no guarantee of service, assurances were freely given during the stay of the Indian Bevin Boys in the United Kingdom that their services would be utilised for the betterment of the industrial status of India? If the answer be substantially as above, what steps have been, or are proposed to be, taken to ensure the proper employment of these trainees ?

(f) Has any representation been received from these trainees indicating their grievances ? If so, to what effect and with what result ?

(g) Is it a fact that one of the objects of the Bevin Training Scheme, with reference to Indian trainees was to give them an appreciation of the Britain methods of cooperation between the employers and workers, and the value of sound Trade Union principles ? If so, how is it proposed to utilise in India the training of these technicians in Trade Unionism ?

**The Honourable Dr. B. R. Ambedkar :** (a) 712. A batch of 75 is at present under training.

(b) 414. Another 168 trainees were engaged on essential work in Defence Services in Government (Central, Provincial and Indian States) undertakings including Railways.

(c) 111 from the factories engaged on war production and 9 from the other undertakings.

(d) Orders for employment of Bevin trainees on their return from United Kingdom were issued by the Government of India under the National Service (Technical Personnel) Ordinance. In most cases Bevin Trainees were placed in employment consistent with the training received by them in the U. K. In a few cases they could not be engaged on work for which they specialised and were entrusted with other work which they could perform by virtue of their general training. Government are making a scrutiny of all such cases and every effort will be made to find suitable employment.

(e) No such assurances were given, so far as the Government of India is aware. The prospectus clearly stated that no guarantee of employment could be given but that every endeavour would be made to place trainees in suitable posts.

(f) Yes. Their main grievance relates to their prospects of employment in suitable posts in the post-war period. Every endeavour is being made to find employment for the unemployed Bevin trainees in Government and private undertakings. Managers of all Employment Exchanges have been instructed to do their best to help Bevin trainees who register for employment. The position regarding unemployment among Bevin trainees will be reviewed periodically and, as far as practicable, suitable action will be taken to remove legitimate grievances.

(g) Yes. Facilities for the study of the working of trade unionism in Great Britain were made available to Bevin trainees. It is hoped that the experience gained will enable Bevin trainees to take their part in the development of trade unionism on sound lines in India.

# 365

## * Proposed Evacuation of Villages in the Prosecution of the Damodar Scheme

**Mr. President :** May I know when the scheme was started and how far it has proceeded ?

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : I would like to submit that at this stage there is absolutely nothing to be discussed. Government has no doubt under contemplation putting certain dams on the Damodar River, which flows through Bihar and Bengal, but with regard to the specific questions raised in this adjournment motion, which speaks of forced evacuation, all I have to say is this—that we are at a very very preliminary stage—we are merely making an inquiry as to how much land would be submerged by the enclosure of this water, what would be the area that would be affected, etc., and we arc trying to see how many persons will have to be evacuated, the nature of their holdings and what rights

* Legislative Assembly Debates (Central), Vol. I of 1946, 7th February 1946, pp. 605-06.

they have. There is really nothing specific, no action has been taken by government at this stage which could be the subject matter of discussion, and what I would like to say is this—that I hope when the government has come to some definite conclusion in this matter I shall be able to circulate a paper to the House containing the conclusions of government and members can then raise the matter for discussion in any way they like.

# 366

## *Electricity (Supply) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move for leave to introduce a bill to provide for the rationalisation of the production and supply of electricity, and generally for taking measures conducive to the electrical development of India.

**Mr. President**: The question is—

> "That leave be granted to introduce a Bill to provide for the rationalisation of the production and supply of electricity, and generally for taking measures conducive to the electrical development of India."

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir, I introduce the Bill.

# 367

## @ Purchase of Temporary Buildings by Government of India

**Sri R. Venkatasubba Reddiar :** Will the Honourable the Labour Member be pleased to state :

(a) If his attention has been drawn to the article under the heading "Stop the Loot" in the last column of the 1st page of the Hindustan Times, dated the 4th February, 1946.

(b) if the answer to part (a) is in the affirmative, whether it is a fact that His Majesty's Government is pressing the Government

* Legislative Assembly Debates (Central), Vol. I of 1946, 7th February 1946, p. 616.
@ *Ibid.,* p. 689.

of India to purchase the two buildings mentioned in the article, if so, whether the Government of India has taken a decision regarding that,

(c) the value of the buildings at present,

(d) the cost of the buildings to his Majesty's Government,

(e) the price at which these buildings are offered, and

(f) if the two buildings have only to be pulled down and are not fit for any use ?

**The Honourable Dr. B. R. Ambedkar:** (a) Yes.

(b) No. The Government of India themselves have decided to purchase the buildings for housing their officers. The terms of purchase are now under consideration.

(c) No firm figure can be given as the estimates of the present value of the buildings, which depend on several factors, necessarily differ.

(d) Rs. 25,58,000.

(e) Rs. 21,31,667.

(f) The buildings are being occupied by the staff of the Far Eastern Bureau as well as by the Government of India officers and it cannot be said that they arc not fit for any use. They are however temporary buildings and will be demolished when they are no longer required by Government.

**Prof. N. G. Ranga :** For how many years are they expected to last ?

**The Honourable Dr. B. R. Ambedkar :** I do not know. I suppose it might be estimated between 8 to 10 years.

**Mr. Sasanka Sekhar Sanyal :** Is it voluntary purchase or forced ?

**The Honourable Dr. B. R. Ambedkar :** Voluntary. Why forced ? If Government need them they have to purchase them.

**Mr. Manu Subedar :** On what basis is the value fixed ? Is it cost of depreciated value or knock down value ?

**The Honourable Dr. B. R. Ambedkar :** The value is not fixed. The matter is under negotiation.

**Sri M. Ananthasayanam Ayyangar :** How many years of life from the war? 8 to 10 years have already expired?

**The Honourable Dr. B. R. Ambedkar :** They were constructed during the war and I do not know the exact date at the moment.

**Shri Mohan Lal Sansena :** Will the demand for the purchase of these buildings come before the House ?

**The Honourable Dr. B. R. Ambedkar:** Why ? It is an administrative act.

**Sri M. Ananthasayanam Ayyangar :** If they were constructed at the beginning of the war and the life is 8 to 10 years and they are to exist three years more, why does the Honourable Member think it necessary to spend Rs. 25 lakhs ?

**The Honourable Dr. B. R. Ambedkar :** I have said the matter is under consideration. No figure has been fixed.

**Mr. M. Asaf Ali :** I do not quite follow the Honourable Member's last but one answer. He said something about an administrative act which did not require the sanction of this House.

**The Honourable Dr. B. R. Ambedkar :** I did not say that. I said it was an administrative act for which the House need not be consulted. The money will be provided for in the Budget.

**Mr. M. Asaf Ali**: I want to know if the money is sanctioned.

**The Honourable Dr. B. R. Ambedkar :** It will come up for sanction.

**Mr. M. Asaf Ali:** In what form are you bringing it up ?

**The Honourable Dr. B. R. Ambedkar :** That is a matter for the Finance Member.

**Mr. M. Asaf Ali:** I want him to answer it. It is no use the Honourable Member taking up that high-handed attitude and saying it is an administrative act. He has got to answer us.

**Mr. Sasanka Sekhar Sanyal:** Answer. (No answer — Interruptions.)

**Mr. President:** Order, order. We will now take up the adjournment motion.

# 368

## * Dearth of Accommodation in Delhi and New Delhi

155. **Sir Hassan Suhrawardy :** (a) Is the Honourable the Labour Member aware that, in spite of the cessation of hostilities, there is still a great dearth of accommodation in Delhi and New Delhi ?

(b) Is he aware that, in spite of the promulgation of the New Delhi Rent Control Order and the Delhi Rent Ordinance, landlords are still

* Legislative Assembly Debates (Central), Vol. I of 1946, 11th February 1946, p. 753.

harassing tenants and taking advantage of every possible loophole in the law?

(c) Do Government propose to consider the desirability of keeping the aforesaid enactments in force until normal conditions prevail at least and until this Assembly enacts some law to regulate the relations between landlords and tenants in the Delhi Province?

**The Honourable Dr. B. R. Ambedkar:** (a) Yes.

(b) I have not received any complaints recently.

(c) It is the intention of the government of India that rents should continue to be controlled in New Delhi and Delhi until normal conditions returns.

## 369

### * British and Non-Indian Public Utility Concerns

172. **Mr. K. C. Neogy :** Will the Honourable the Labour Member be pleased to state the number of public utility concerns owned by British and other non-Indian interests in India, indicating the amount of the capital involved in such concerns, and the policy of Government in the matter of acquiring these concerns on behalf of the State or Municipal or other statutory bodies in India ?

**The Honourable Dr. B. R. Ambedkar:** The question will be answered by the Honourable Member in charge of the Planning and Development on the 18th February, 1946.

## 370

### @ Operation of Scheme for Training of Technicians Abroad

173. **Mr. K. C. Neogy :** (a) Will the Honourable the Labour Member be pleased to lay on the table of the House a comprehensive statement regarding the operation of the scheme for sending technicians already employed in Industries abroad for further training

* Legislative Assembly Debates (Central), Vol. I of 1946, 11th February 1946, p. 769.
@ Ibid

or for enlarging their industrial or professional experience, announced last year, giving particulars specially as regards the number of technicians who have already proceeded to the different countries, the different course they are going to take up, the processes of selection of the said technicians, and the consideration governing such selection ?

(b) How many applicants, if any, arc yet to be sent from among those who have already been selected, how many if any, more technicians are likely to be sent out likewise in the current year, and in what subjects are these technicians likely to be trained and in which countries ?

(c) What will be the estimated cost to the Central Government involved in the training of these technicians, and what will be the cost, if any, to the Provincial Governments concerned?

**The Honourable Dr. B. R. Ambedkar**: (a) A statement is laid on the table of the House.

(b) 152 candidates have yet to be sent amongst those already selected. Particulars of the training facilities required for each candidate have been sent to the authorities concerned. Arrangements are made for sending the candidates as soon as intimation is received that the training facilities required by him will be available. It is not possible at this stage to say how many more candidates over and above those already selected will be sent in the current year or the subjects in which they may be trained. This will depend on the availability of training facilities abroad.

(c) Under the scheme the training and other expenses of the candidates are borne by the respective employers i.e., private industry, Central and Provincial Governments and the Indian States, as the case may be. The scheme also provides for financial assistance from the Central Government to candidates from private industry where the training is in a new industry or an industry whose development is considered desirable in the national interest and the employer is unable to bear the full cost.

The cost to the Central Government during 1946-47 in respect of candidates selected from amongst Central Government employees and a few cases from private industry where such assistance may be given is estimated to be Rs. 1,01,680.

The estimated cost to the Provincial Governments in respect of candidates selected from amongst Provincial Government employees during 1946-47 will be about Rs. 3,60,000.

# 371

## Accounts Re: Gorakhpur Labour in Coal Mines

**31. Mr. K. C. Neogy**: (a) Will the Honourable the Labour Member be pleased to state whether all the expenditure incurred on account of the recruitment and employment of the Gorakhpur labour in coal mines has been regularly audited and has been found by audit to be entirely in order ? Up to which date have such accounts been audited?

(b) What is the name and designation of the Officer in-charge of the Labour Force and what is the name of his Secretary ? What are the emoluments to which they are respectively entitled, and what is the extent of the financial authority of the Officer-in-charge.

**The Honourable Dr. B. R. Ambedkar:** (a) First part, Yes, and the accounts have been reported to be in order.

(b) First part—Mr. H. J. Walsh, Deputy Director, Labour Supply (Coal). There is no Secretary attached to him.

Second part—His scale of pay is 1,925—50—2,075. He has been authorised to incur expenditure at an overall rate not exceeding Rs. 60 per labourer per month, to cover the pay of labourers, pay of clerical, inferior and medical staff, cost of rations, and expediture on T. A. and contingencies. In all cases expenditure incurred must be in accordance with scales approved by Government.

# 372

## * Expenditure on Gorakhpur Labour in Coal Mines

32. **Mr. K. C. Neogy :** Will the Honourable the Labour Member be pleased to state:

(a) the amount so far spent on the Gorakhpur labour employed in coal mines,

* Legislative Assembly Debates (Central), Vol. I of 1946, 11th February 19-16, p. 773.

@ *Ibid.*

(b) the amount realised so far from the owners of mines who employed the Gorakhpur labour,

(c) the number of members of the Gorakhpur labour force employed in (i) Railway-owned collieries and (ii) collieries owned by public companies and individuals, and

(d) the names of those mines where the Gorakhpur labour has been employed.

**The Honourable Dr. B. R. Ambedkar :** (a) Rs. 1,91,05,386 upto the end of January 1946.

(b) Rs. 22,52,311 actually recovered upto the end of December 1945. Rs. 29,48,302 are still outstanding for the period upto the end of December and estimated amount to be billed for January 1946 is Rs. 16 lakhs.

(c) Number employed in—

(i) Railway Collieries 7 per cent,

(ii) Collieries owned by Public companies 83 per cent, and

(iii) Collieries owned by individuals 10 per cent. Total labour force as on 19th January 1946—17,391.

Greatest number employed in any one month.—30,600.

(d) A statement is placed on the table.

STATEMENT

**List of Mines Surface**

(1) Madhuband
(2) Diamone Tisra
(3) Model Jharia
(4) A. G. Tisra
(5) Lower Upper Jharia
(6) Indian Jharia
(7) Bagdigi Kujama
(8) K. P.'s Dobari
(9) Bhalgora
(10) Ghanuyadih
(11) Bagechi's Dobari
(12) Pandalbcrra
(13) Khas Jharia Dobari
(14) South Tisra
(15) East Bararee
(16) Pure Joyrampur
(17) North Bararee
(18) G. P. C's. Jinagora
(19) Basudev ' A ' Plot Colliery
(20) Pathardih Sudamdih
(21) Pure Tasra
(22) New Tasra
(23) Central Bhowra
(24) Bhowra
(25) Mohulboni
(26) East Ekra
(27) Busserya

(28) North Ekra

(29) Kankanee

(30) Scndra Bansjora

(31) Ekra Khas

(32) Ekra Khas No. 12 quarry

(33) Mudidih

(34) Tctulmari

(35) Tata's Sijua

(36) Angarpathra

(37) Jharia Khas Angarpathra

(38) Koiludih

(39) Agardih

(40) North Damuda

(41) Isabella

(42) Shampur

(43) Pure Laikdih

(44) Sanctoria

(45) Chapui Khas

(46) Khas Jamchari

(47) Jote Dhcmo

(48) Sirka

(49) Rcligarah

(50) Junkunda

(51) Jambad

(52) Dhansar

(53) Bright Kusunda

(54) North Bhuggatdih

(55) Godhur

(56) Pure Kustore

(57) Alkusa Nayadcc

(58) Jairandih

(59) Swang

(60) Parbelia

Underground

(1) Parbelia

(2) Sodepur

(3) Seetalpur

(4) Banksimullah 11 and 12 pits.

(5) Banksimullah 7 and 8 pits.

(6) Damra

(7) Adjai II Colliary

(8) Shecbpur

(9) Chapui Khas

(10) S.E. Barboni

(11) Digwadih

(12) Jitpur

(13) Pure Joyrampur

(14) Bhatdce

(15) Gaslitand

(16) Standard

(17) Ekra Khas

(18) Swang

(19) Jairandih

(20) Dhemo Main

(21) Model Jharia.

# 373

## * Extension in Service to C.P.W.D. Officers

**44. Shri Sri Prakasa** : Will the Honourable the Labour Member please state:

(a) the number of persons, who have retired from, but have been re-employed in the services of the Central Public Works Department as Superintending, Executive and Assistant Engineers, respectively, since 1939;

(b) the number of those persons who have been given extensions to their original terms together with the instalments of each term of extension;

(c) if it is a fact that the Finance Department of the Central Government, has expressed itself against the grant of extensions to the original term ; if so, the reasons for any action in this behalf against the instructions of the Finance Department;

(d) if such extensions interfere with the recruitment of new hands and the advancement of young officers ; if so, whether any provision is made to compensate those whose prospects are blocked; and

(e) if Government propose to take any action in the matter of the termination of such extensions and bettering the prospects of younger officers ?

**The Honourable Dr. B. R. Ambedkar**: (a) Three.

(b) Since 1939, extension of service under Fundamental Rule 56 was granted in three cases, the periods of extension being 6 months, 3 days and 1 month respectively.

(c) The answer to the first part of the question is in the negative ; the second part does not arise.

(d) and (e) No.

* Legislative Assembly Debates (Central), Vol. I of 1946, 20th February 1946, p. 1214.

# 374

## * Instrument for the Amendment of the Constitution of the International Labour Organisation

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I lay on the table a copy of the Instrument for the amendment of the constitution of the International Labour Organisation adopted by the Conference at its twenty-seventh session at Paris on the 5th November 1945 together with a statement of the action proposed to be, taken thereon.

# 375

## @ Indian Trade Unions (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move for leave to introduce A Bill further to amend the Indian Trade Unions Act, 1926.

**Mr. President:** The question is :

> " That leave be granted to introduce a Bill further to amend the Indian Trade Union Act, 1926".

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir, I introduce the Bill.

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* Legislative Assembly Debates (Central) Vol. I of 1946, 21st February 1946, p. 1214.
@ *ibid.,* p. 1292.

# 376

## * Stopping of Women Working in Coal Mines

406. **Prof. N. G. Ranga** : Will the Honourable the Labour Member be pleased to state :

(a) When Government propose to stop women working in Coal Mines now that the war is over; and

(b) Whether they have any schemes ready to provide these women who have been brought away from their villages any alternative employment or to provide them free return passages and to free them also from any debts that they may have incurred while at work in the mines in the hope of repaying them through their savings at the mines ?

**The Honourable Dr. B. R. Ambedkar :** (a) Government have no intention of entirely prohibiting the employment of women in Coal Mines. Their employment underground has, however, been prohibited from the 1st February, 1946.

(b) The Welfare Fund of the Central Government has decided to open vegetable farms in the coalfields and the various Mining Associations of employers and the Provincial Governments of Bengal and Bihar were asked to do everything possible to provide at once alternative employment for women released from underground work. Majority of these women have already been provided with surface work in the coal fields.

# 377

## @ Recommendations of Indian Labour Conference

467. **Prof. N. G. Ranga :** Will the Honourable the Labour Member be pleased to state:

(a) the recommendations made by the Indian Labour Conference that met in November 1945 ;

* Legislative Assembly Debates (Central), Vol. I of 1946, 25th February 1946, p. 1427.

@ *Ibid.*

(b) the conclusions or decisions reached by government thereon ; and

(c) what steps the Government of India propose to take to implement them ?

**The Honourable Dr. B. R. Ambedkar :** (a) None.

(b) and (c). Do not arise.

# 378

## * Government's House Building Programme for Big Cities

469. **Mr. Manu Subedar :** (a) Has the attention of the Honourable the Labour Member been drawn to the editorial remarks of the Statesman of the 23rd January, 1946, that " Yet it must be remembered that almost no dwelling has been built in any Indian town during the last six years," and is he in a position to contradict this statement ?

(b) What steps have Government taken to encourage building in congested cities like Bombay and Calcutta ?

(c) Are the controls operating still to prevent structures going up, or are they going out of their way to smoothen out difficulties of builders ?

(d) Have the Government of India received from, or sent to, Provincial Governments any concrete plan in order to bring into existence increased number of buildings in India ?

(e) Are Government aware that the building trade is the most promising one for the absorption of those who may be retrenched from Government service ?

**The Honourable Dr. B. R. Ambedkar** : (a) Yes. As we have no information regarding the number of buildings constructed during the last six years by private persons, it is impossible either to support or to contradict the statement as it is worded; but I should like to point out that the controls for the use of building materials were not imposed till about the latter half of 1941.

(b) Presumably the Honourable Member has in mind private building. The Government of India have recently taken some steps

* Legislative Assembly Debates (Central), Vol. I of 1946, 25th February 1946, p. 1428.

of a general nature to encourage private building all over India and not only particularly in Bombay and Calcutta.

They have withdrawn the instructions which they issued to Provincial Governments regarding the exercise of control over building construction. They have advised Provincial Governments generally to encourage private building by all means in their power. They have issued specific instructions about the release of bricks and increased quantities of other building materials like cement, steel, timber, etc. which are under the control of the Government of India,) have been made available to private builders.

Government of India have further decided to convene a meeting in Delhi in the first week of March 1946, of representatives of the building trade in order to discuss with them the factors that are still impending the progress of private building in this country.

(c) The Government of India believe that the relaxations are going to make it easier for builders to put up structures in future.

(d) The Government of India have addressed provinces in regard to a short term scheme for the encouragement of the construction of housing for industrial labour and those other workers in urban areas who are unable to pay an economic rent. The scheme involves a subsidy from the Centre provided provinces make an equivalent subsidy and will be referred to by the finance Member in his Budget speech.

# 379

## * Government's Policy *re* : Residential use of Wartime Temporary Structures

470. **Mr. Manu Subedar** : (a) Is the Honourable the Labour Member aware of the special measures being taken in the United Kingdom to increase activity in house building ? If so, what are those measure ?

(b) Do Government propose to indicate their policy with regard to the following suggestion made by the Statesman of the 23rd January, 1946.

* Legislative Assembly Debates (Central), Vol. I of 1946, 25th February 1946, p.1427.

"The Government would be, therefore, well advised to consider if until the law of supply and demand has reasserted itself, residential use is possible of the temporary structures put up during the war"?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes. These measures have been fully explained in the British Ministry of Information pamphlet No. R. 520, a copy of which will be found in the Library of the House.

(b) The suggestion made by the Statesman of the 23rd January, 1946, was in respect of the temporary buildings constructed in Calcutta and I take it that the Honourable Member wants to know the policy of Government in respect of those buildings. I am concerned only with the buildings constructed for Central Government Civil Offices which will no doubt be retained for use until they have become surplus to our requirements.

# 380

## * Working Hours of Factory Workers in India

481. **Mr. Vadilal Lallubhai:** Will the Honourable the Labour Member kindly state :

(a) the actual daily working hours of factory workers in India according to different industries including collieries and plantations ;

(b) the total number of factories coming under the purview of the Indian factories Act, 1934;

(c) how many of them are working one shift, how many of them two shifts and how many of them three shifts; and

(d) the working hours in each shift ?

**The Honourable Dr. B. R. Ambedkar :** (a) Two satements showing the daily working hours in industries and plantations are placed on the table of the House. No detailed information about the actual working hours in collieries is available.

(b) Total number of factories under the Factories Act was 14,922 in 1944, the last year for which figures are available.

* Legislative Assembly Debates (Central), Vol. I of 1946, 25th February 1946, p. 1428.

(c) and (d). No information available.

*Statement showing hours of work per day in factories*

| | | |
|---|---|---|
| 1. | Cotton ... ... ... ... | 7½—10 |
| 2. | Jute ... ... ... ... | 9—12 |
| 3. | Silk ... ... ... ... | 7½.-9 |
| 4. | Woolen ... ... ... ... | 9—10 |
| 5. | Engineering (including railway workshops) ... | 7½,—12 for shift workers (in some cases night shift workers work for 7 hours). |
| 6. | Matches ... ... ... ... | 8½—10 |
| 7. | Potteries ... ... ... ... | 8 for shift workers |
| 8. | Printing Presses ... ... ... ... | 7½,-8½ |
| 9. | Glass ... ... ... ... | 7½,—9 for shift workers. 10 for general workers. |
| 10. | Chemical and Pharmaceutical works ... ... | 7—10. |
| 11. | Sugar ... ... ... ... ... | 8 for Manufacturing section. 8—9 for Engineering section. |
| 12. | Cotton ginning and bailing ... ... ... | 9—10. |
| 13. | Rice Mills ... ... ... ... | 7—10. |
| 14. | Cement ... ... ... ... | 7½—8 for shift workers. 8—9 for general workers |
| 15. | Paper ... ... ... ... | 7—8 in continuous process shifts. |
| 16. | Mica Factories ... ... ... ... | 9. |
| 17. | Shellac Manufacture ... ... ... | 8—10. |
| 18. | Bidi, Cigar and Cigarettes ... ... ... | 11—12 for bidi and cigar. 8—9 for cigarettes |
| 19. | Carpet Weaving ... ... ... ... | 9—10. |
| 20. | Tanneries and Leather goods Manufacture ... ... | U. P. Madras—8½ 9 Day shift. 8—9 Night shift. |
| 21. | Coir Matting ... ... ... ... | 9 for men. 6 for women. 5 for children. |

*Statement showing daily hours of work in Plantations.*

| | |
|---|---|
| Assam and Bengal— ... ... | |
| Tea Gardens— ... ... | |
| Hazaria basis (normal working time) ... ... | 5—6 |
| Ticca basis (overtime;) ... ... | 3—4 |
| Pluckers ... ... ... ... | 10—11 |
| Kangra Valley ... ... ... ... | 8—9 |
| Dehra Dun ... ... ... ... | 8 |
| Almora ... ... ... ... | 6 |
| Tea and Coffee Estates in South India ... ... | 8—9 |
| Rubber Estates ... ... ... ... | 5—7 |

# 381

## * Utilisation of Temporary Building in New Delhi

495. **Sri M. Ananthasayanam Ayyangar :** Will the Honourable the Labour Member please state:

(a) if all the temporary buildings, built for the War Department and other requirements including the returned American buildings on Queensway and other places are going to be utilized solely for office accommodation;

(b) if he will consider the desirability of using at least some of these buildings for housing the government of India personnel, single persons or others, after making slight modifications in those buildings for residential purposes, and thus relieving the present housing shortage in Delhi; and

(c) Whether, if Government is not prepared to undergo the necessary expense, he will let these buildings out on contract with the stipulation that they should be let out to the Government servants in the first instance ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) Yes—if and when any temporary buildings constructed for office purposes are no longer required as offices—and the sites on which they are constructed are not required for other purposes.

(c) This will be considered, but it is likely that Government will require the buildings for their own staff and in such case be likely to keep them under Government control.

# 382

## @ Governments Policy *re*: Mica Trade

499. **Babu Ram Narayan Singh :** Will the Honourable the Labour Member please state:

(a) the policy and object of Government in regulating the Mica business and trade;

* Legislative Assembly Debates (Central), Vol. I of 1946, 25th February 1946, p. 1446.

@ *Ibid.,* p. 1447.

(b) the probable date by which the report of the Mica Enquiry Committee is to be printed and published; and

(c) the length of time to be taken by Government in considering the desirability of altogether removing or at least modifying the ban on the sale of Crude and Bima Mica under the Mica Control Order ?

**The Honourable Dr. B. R. Ambedkar:** (a) The Government of India wish to improve the working conditions in the industry and to organise it on sound commercial lines so that Indian mica gets a fair price in the market.

(b) The report is under print and will be published as soon as printed copies are available.

(c) It is not possible to fix any date by which Government will take decisions on the recommendations of the Mica Enquiry Committee. Every endeavour will be made to do it as quickly as possible.

# 383

## * Unemployment Due to Mica Control Order

500. **Babu Ram Narayan Singh**: (a) Will the Honourable the Labour Member please state whether Government are aware that several lakhs of people in the Hazaribagh District have been thrown out of employment as a result of the introduction of the Mica Control Order ?

(b) Are Government aware that several lakhs of people of the Hazaribagh District have Mica Business as their only means of livelihood ? If so, do Government propose to regulate the Mica business and the Mica Trade so as to safeguard their interests ?

**The Honourable Dr. B. R. Ambedkar:** (a) The Government of India have no information that the introduction of the Mica Control Order has resulted the unemployment of several lakhs of people in the Hazaribagh District.

* Legislative Assembly Debates (Central), Vol. I of 1946, 25th February 1946, p. 1447.

(b) Government are aware that a large number of people are engaged in the Mica business and in any scheme of improvement of the industry Government hope that their interests will not be ignored.

# 384

## * Superintending Engineers in Headquarters

599. **Mr. Muhammad Rahmat-Ullah :** Will the Honourable the Labour Member please slate if it is a fact that Rai Sahib C. P. Malik is given officiating chances for the post of Superintending Engineers in the Headquarters?

(b) Is it not a fact that there are a number of Muslim Executive Engineers senior to him but have not been given a single chance to officiate ?

**The Honourable Dr. B. R. Ambedkar :** (a) No. Rai Sahib C. P. Malik has been appointed temporarily to carry on only the current duties of die post of superintending Engineer, Second Circle, Delhi, purely as a meaure of administrative Convenience.

(b) Yes. But they have not yet become due for promotion to die grade of Superintending Engineer.

**Dr. Sir Zia Uddin Ahmad** : In view of the fact mat out of 13 Superintending Engineers only one is a Muslim, why was not a Muslim appointed for this particular post ?

**The Honourable Dr. B. R. Ambedkar** : If the Honourable Member will refer to my reply, he will see that the appointment is not of an officiating character—he is merely asked to carry on the duties.

**Dr. Sir Zia Uddin Ahmad** : Without being called a Superintending Engineer and without any remuneration ?

**The Honourable Dr. B. R. Ambedkar :** Yes.

**Dr. Sir Zia Uddin Ahmad**: This is a third method of avoiding the appointment of Muslims, in addition to the two I suggested yesterday, efficiency and seniority—you do not call a post by the name which is given to it—you simply ask a man to carry on the duties ?

* Legislative Assembly Debates (Central), Vol. III of 1946, 28th February 1946, p. 1668.

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend is free to draw any inference he likes.

**Maulana Zafar Ali Khan :** Does the Honourable Member know that there is a feeling abroad that in the matter of appointment of Muslims the Government always meets out stepmotherly treatment to the Muslims ?

**Mr. Ahmed E. H. Jaffer:** In reply to part (a) the Honourable Member said "as a measure of administrative convenience". Is it the convenience of the Honourable Member to make it a convenience to avoid appointments of Muslims ?

**The Honourable Dr. B. R. Ambedkar :** I think it is so simple an expression that everybody ought to understand it.

**Mr. President:** Order, order—next question.

# 385

## * Muslim Gazetted Officers in Labour Department Secretariat

600. **Mr. Muhammad Rahmat Ullah :** Will the Honourable the Labour Member kindly state the proportion of Muslim Gazetted Officers in the Labour Department Secretariat ?

**The Honourable Dr. B. R. Ambedkar :** There are 49 Secretariat Gazetted Officers in the Labour Department, of whom 9 are Muslims.

**Mr. Ahmad E. H. Jaffer:** Docs it not mean that the proportion of Muslims is not maintained, according to the 25 per cent ratio ?

**The Honourable Dr. B. R. Ambedkar :** I do not know that that rule applies.

**Mr. Ahmed E. H. Jaffer :** 9 out of 49—is it fair to the Muslim community that they should have this low percentage ?

**The Honourable Dr. B. R. Ambedkar:** I understand that is not a matter governed by the communal representation ratio.

* Legislative Assembly Debates (Central), Vol. III of 1946, 28th February 1946, p. 1668.

# 386

## * Muslim Administrative Officers in Central P.W.D.

601. **Mr. Muhammad Rahmat-Ullah :** (a) Has the attention of the Honourable the Labour Member been drawn to the article published in the Dawn of the 26th January, 1946, regarding the appointment of a Muslim administrative Officer in the Central P.W. D. ?

(b) Are the facts stated therein regarding his Department correct ?

(c) Is it not a fact that the three Assistants of the Administrative Officer as well as the Financial Adviser are all Hindus ?

(d) Is it not a fact that the Honourable Member is contemplating to appoint a non-Muslim Administrative Officer ? If so, why should the Mussalmans be excluded from this branch of the Central P.W.D. ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) No.

(c) Yes.

(d) The question of filling the post of Administrative Officer in the Central Public Works Department is still under consideration.

**Dr. Sir Zia Uddin Ahmad:** How long will it be under consideration, because his attention has been drawn several times ? Will he make the appointment after the Assembly session is over ?

**The Honourable Dr. B. R. Ambedkar :** He will be appointed in due course.

**Dr. Sir Zia Uddin Ahmad :** Why don't you call a spade a spade ? Why do you not call this a Hindu Labour Department, or rather a Scheduled Caste Department ?

(No answer was given)

* Legislative Assembly Debates (Central), Vol. III of 1946, 28th February 1946, p. 1670.

# 387

## * Trade Unions in India

54. **Mr. Vadilal Lallubhai**: (a) Will the Honourable Member for Labour please state the number of trade unions in India and the total membership thereof since 1939 up to date year by year totally and as between different provinces ?

(b) What are their total funds as between provinces and how much of the same comes by subscriptions and how much by donations since 1939 up to date year by year?

(c) How many of the total members as between provinces did not pay their subscriptions and still continue to be the members from 1939 upto date year by year ?

(d) What has been the proportion of outsiders in the office bearers of trade unions ever since 1939 onwards year by year ? Is it a fact that this proportion is recently on a decline?

**The Honourable Dr. B. R. Ambedkar :** (a) A statement showing the number of registered trade unions, the number of unions that submitted returns and the membership of the latter, during the years 1939-44, is placed on the Table. Statistics for 1944-45 are not yet available.

(b) A statement showing the income, expenditure, opening and closing balances of trade unions during 1939-44 is placed on the Table. Government has no infonnation on the second part of the question.

(c) and (d) The information is not available.

# 388

## @ Industrial Workers in India

55. **Mr. Vadilal Lallubhai**: Will the Honourable Member for Labour please state :

(a) What is the total number of industrial workers in India and

* Legislative Assembly Debates (Central), Vol. Ill of 1946, 28th February 1946, p. 1670.
@ *lbid.*

their distribution in individual industries including collieries and plantations since 1939 upto date year by year.

(b) What are the monthly earnings of the factory workers in India in different industries since 1939 up to date, year by year, exclusive of dearness allowance and bonus ?

(c) What are the figures of dearness allowance and bonus paid to industrial workers in India since 1939 up to date, year by year, according to (i) different industries and (ii) different industrial centres?

(d) Will he please illustrate the effect if any, of war time increase in earnings of industrial workers on the total membership of trade unions and their monetary funds either way?

**The Honourable Dr. B. R. Ambedkar** : (a) A statement is placed on the table. Statistics for 1945 are not yet available.

(b) A statement showing the figures of monthly average earnings of factory workers during 1939, 1940, 1941 and 1943 is placed on the table. These are inclusive of dearness allowances paid in cash, figures exclusive of these not being available. The figures are only approximate is they are compiled from statistics of total payments made and do not allow for factors like number of working days in the year, number of working hours etc.

Figures of 1942 are not furnished as it is not clear which of the figures available are inclusive of dearness allowances and which are not.

(c) Full information is not available and Government do not consider that the time needed for collecting and tabulating this will be commensurate with the result.

(d) Figures of average earnings of factory workers have been furnished in connection with part (a) of this Question. Statements showing the membership and general funds of trade unions are placed on the table. Government are not in a position to say whether the increase in membership and in the income is attributable to increased wages or to other causes.

# 389

## * Muslim Administrative Officer in Central Public Works Department

715. **Mr. Ahmed E. H. Jaffer :** Will the Honourable the Labour Member please state:

(a) the number of posts of Assistant Administrative Officer in the Central Public Works Department,

(b) how many of these posts are occupied by Muslims, and

(c) if the reply to (b) is in the negative, what steps he has taken to fill the vacant post of Administrative Officer by a suitable Muslim ?

**The Honourable Dr. B. R. Ambedkar :** (a) Three.

(b) None.

(c) The inference implicit in tills question does not necessarily follow from (a) and (b) because the Central Public Works Department cadre is and must be treated as one. The subject is however, now under consideration.

**Mr. Ahmed E. H. Jaffer:** Since the reply to (b) is none, may I ask the Honourable Member why a Muslim should not be appointed to the post of Administrative Officer ?

**The Honourable Dr. B. R. Ambedkar :** I did not quite follow.

**Mr. Ahmed E. H. Jaffer:** Since there are no Muslim Assistant Administrative Officers, may I ask the Honourable Member why should not the post of Administrative Officer be filled by a Muhammadan ?

**The Honourable Dr. B. R. Ambedkar :** It is a matter for consideration. I cannot give a guarantee that the post will be reserved for a particular community.

**Mr. Ahmed E. H. Jaffer:** Have applications been received for this post?

**The Honourable Dr. B. R. Ambedkar :** Applications will not be called for.

**Maulana Zafar Ali Khan:** Has it been advertised ?

**The Honourable Dr. B. R. Ambedkar :** Not necessarily.

* Legislative Assembly Debates (Central), Vol. III of 1946, 6th March 1946, p. 1929.

**Mr. Ahmed E. H. Jaffer :** Why will not a Muslim be appointed.

**The Honourable Dr. B. R. Ambedkar :** I said that I cannot give an assurance. Besides, the Government of India cannot accept the principle that any community has a vested right in any particular post.

**Mr. Ahmad E. H. Jaffer :** Particularly in view of the fact that the Honourable Member's Department is the worst in the Government of India.....

**Mr. President:** Order, order. The Honourable Member will please put the question.

**Mr. Ahmed E. H. Jaffer** : In view of the fact that the Labour Department is not sufficiently representative of Muslims, may I ask the Honourable Member to consider the appointment of a Muslim to the post?

**The Honourable Dr. B. R. Ambedkar** : I deny the assumption of the Honourable Member.

**Mr. Ahmed E. H. Jaffer :** May I.....

**Mr. President:** I believe there is one misunderstanding under which the Honourable Member is putting his questions. Will he resume his seat ? What the Honourable Member of Government said was that he makes a distinction between a particular post and the quota in the departmental posts. Am I right ?

**The Honourable Dr. B. R. Ambedkar :** Yes, Sir.

**Mr. President**: He said he cannot assure a particular post being filled by a particular community. That is different from the quota.

**Mr. Ahmed E. H. Jaffer :** My submission is that in view of the fact that his Department has not the required quota of Muslim of 25 per cent., will he consider the question of appointing Muslims up to the minimum quota ?

**Mr. President:** Yes, that is proper.

**The Honourable Dr. B. R. Ambedkar :** I do not accept the principle that that is the only method.

**Mr. Ahmed E. H. Jaffer :** Does the Honourable Member deny that his Department has in the services the 25 per cent, quota of Muslims ?

**The Honourable Dr. B. R. Ambedkar :** I deny it.

**Mr. Ahmed E. H. Jaffer :** With what result ?

**The Honourable Dr. B. R. Ambedkar :** I cannot help the result, if there are not sufficient Muslim candidates. That is not my fault.

**Mr. Ahmed E. H. Jaffer :** May I tell the Honourable Member that

this is nothing but a lame excuse on the part of the Honourable Member to say that there are not 'sufficient Muslim candidates' when they are really available ?

**Mr. President** : Order, order. That will be a criticism. The Honourable Member may put his question.

**Mr. Ahmed E. H. Jaffer** : May I tell the Honourable Member that sufficient Muslims are forthcoming but their claims are overlooked intentionally.

**The Honourable Dr. B. R. Ambedkar :** I have nothing to add to what I have said.

# 390

## * Communal Representation in Labour Department

718. **Mr. Ahmed E. H. Jaffer :** (a) Will the Honourable the Labour Member please state the exact number of joint Secretaries, Deputy Secretaries, Assistant Secretaries, Superintendents, Assistants, Clerks, etc., in the Establishment Branch of the Department of Labour (Main Secretariat) ?

(b) How many Muslims and Non-Muslims are there in each grade ?

If the reply to (b) regarding the Muslims is in the negative, what are the reasons therefor?

**The Honourable** Dr. B. R. Ambedkar : (a) and (b) A statement giving the information is placed on the table.

(c) Does not arise.

STATEMENT

| | Total | Muslim | Non-Muslim | |
|---|---|---|---|---|
| Joint Secretaries | 3 | 1 | 2 | |
| Deputy Secretaries | 4 | 1 | 3 | |
| Assistant Secretaries and Under Secretaries | 13 | 2 | 11 | (including 1 European, 1 Anglo-Indian and 1 Scheduled Caste) |
| Superintendents | 21 | 6 | 15 | (Including 1 Sikh and 1 Indian Christian) |
| Assistants in Establishment Branch | 9 | 2 | 7 | |
| Clerks in Establishment Branch | 9 | ... | 9 | (Including 1 Scheduled Caste) |

*Legislative Assembly Debates (Central), Vol. III of 1946, 6th March 1946, pp. 1933-35.

**Mr. Ahmed E. H. Jaffer:** Sir, I did not ask for a statement to be laid on the table of the House, but I want the number to be stated on the floor of the House, as I want to ask supplementary questions.

**The Honourable Dr. B. R. Ambedkar:** May I, Sir, give the figures ?

**Mr. E. H. Jaffer:** There are no figures to give.

**The Honourable Dr. B. R. Ambedkar :** Yes, there are. My learned friend need not assume a threatening attitude.

**Mr. Ahmed E. H. Jaffer :** I am only reciprocating the threatening attitude of the Honourable Member himself.

**Mr. President:** If the list is not too big the Honourable Member may read.

**The Honourable Dr. B. R. Ambedkar:**

| | | | | | Total | Muslim |
|---|---|---|---|---|---|---|
| Joint Secretaries | ... | ... | ... | ... | 3 | 1 |
| Deputy Secretaries | ... | ... | ... | ... | 4 | 1 |
| Assistant and under Secretaries | | ... | ... | ... | 13 | 2 |
| Superintendents | ... | ... | ... | ... | 21 | 6 |
| Assistants in Establishment Branch | | ... | ... | ... | 9 | 2 |
| Clerks in Establishment Branch | | ... | ... | ... | 9 | ... |

**Mr. Ahmed E. H. Jaffer :** Do these figures include Muslim representation in the Resettlement and Employment Directorate ?

**The Honourable Dr. B. R. Ambedkar:** I must have notice of that question.

**Mr. Ahmed E. H. Jaffer :** I asked for the figures of the Labour Department of the Main Secretariat. Cannot the Honourable Member say 'Yes' or 'No', whether these figures include the figures of Muslim representation in the Resettlement and Employment Directorate or not ?

**The Honourable Dr. B. R. Ambedkar:** I must have notice of that question.

**Haji Abdus Sattar Haji Ishaq Seth :** Will the Honourable Member kindly tell us what Department in answer to the question in the establishment branch of the Department.

**The Honourable Dr. B. R. Ambedkar :** It is the Main Secretariat. As I said I want notice in order to be accurate in my information.

**Mr. Ahmed E. H. Jaffer :** Is the Honourable Member aware that the Resettlement and Employment Directorate is quite separate from the Main Secretariat?

**The Honourable Dr. B. R. Ambedkar:** Of course I am aware.

**Mr. Manu Subedar :** Why is this large army of Joint Secretaries, Deputy Secretaries, Assistant and Under Secretaries necessary for the Labour Department and may I know whether my Honourable friend would not satisfy my Muslim friends by reducing some of the other communities in order to restore the Muslim proportion which they want?

**The Honourable Dr. B. R. Ambedkar :** I do not want to express any opinion on the Honourable Member's question.

**Prof. N. G. Ranga:** Muslimise the whole Department.

**Shri Sri Prakas :** May I submit in all humility that the Government may lay on the table before the beginning of every session a full list of all the various communities in the various departments, so that the necessity for most of these questions may be obviated and temper kept under control ?

**Mr. Ahmed E. H. Jaffer :** In view of the Government Resolution of the Home Department of 1934 fixing a 25 per cent. Quota for the Muslims and in view of the fact that there is shortage of Muslim representation in accordance with this resolution in the Labour Department, will the Honourable Member rectify and make up the quota by employing more Muslims ?

**The Honourable Dr. B. R. Ambedkar :** The posts to which I have made reference in the course of my reply are not posts which are governed by communal representation. They are promotion posts.

**Mr. Ahmed E. H. Jaffer :** May I take it that the resolution does not apply to his Department?

**The Honourable Dr. B. R. Ambedkar :** The Honourable Member ought to read the Government Resolution more carefully than he seems to have done.

**Mr. Ahmed E. H. Jaffer :** The other day in reply to Dr. Sir Ziauddin Ahmed the Honourable the Home Member said that Government Resolution does apply to the Labour Department will he transfer the resolution to the Honourable Labour Member ?

**The Honourable Dr. B. R. Ambedkar:** I know the resolution very well.

**Mr. President:** Next question.

**Mr. Ahmed E. H. Jaffer :** One more question, Sir, Is the Deputy Secretary's post a Class I post.

**The Honourable Dr. B. R. Ambedkar:** There is no such thing as a Class I post there.

# 391

## * Loss of Public Money in the 'Delhi Store Sub-Division Embezzlement Case'

719. **Mr. Ahmed E. H. Jaffer:** (a) Will the Honourable the Labour Member please give the approximate amount of loss of public money in the ' Delhi Store Sub-Division Embezzlement Case ?

(b) Who were the culprits, and what action has so far been taken to bring them to book ?

**The Honourable Dr. B. R. Ambedkar :** (a) There is no such case as "Delhi Store Sub-Division Embezzlement Case". If the Honourable Member has in mind the case of alleged over payment in cartage of cement in Stores Sub-Division under Construction Division No. I, I can inform him that the matter is under investigation.

(b) Does not arise.

**Mr. Ahmed E. H. Jaffer :** Is it a fact that the S. D. O. in question who embezzled two lakhs is still in service ?

**Mr. President:** Order, order. The Honourable Member has already stated that there was no embezzlement

**Mr. Ahmed E. H. Jaffer:** I entirely agree with the Honourable Member's reply. The point which he refers to is the same that a sum of two lakhs was overpaid.

**Mr. President:** My point is that the Honourable Member has replied that there is no case of embezzlement but only a case of overpayment. In his next question the Honourable Member need not again presume embezzlement—he can put a question on the over payment.

* Legislative Assembly Debates (Central), Vol. III of 1946, 6th March 1946, pp. 1935-36.

**The Honourable Dr. B. R. Ambedkar:** The matter is under investigation and unless and until the result of that investigation is known Government cannot take any action against the officer.

**Mr. Ahmed E. H. Jaffer:** I ask whether the S. D. O. concerned who is responsible for this over-payment of 2 lakhs is still in service.

**The Honourable Dr. B. R. Ambedkar:** Of course he is.

**Mr. Ahmed E. H. Jaffer :** Why ?

**The Honourable Dr. B. R. Ambedkar:** Because the case is not yet proved against him.

**Mr. Ahmed E. H. Jaffer :** In such cases where matters are under investigation is it not the practice to keep the officer concerned under suspension?

**The Honourable Dr. B. R. Ambedkar:** Not unless we receive the report of the investigation.

**Mr. Ahmed E. H. Jaffer:** Is it because he is of the Scheduled Caste ?

**Haji Abdus Sattar Haji Seth:** With regard to part (a) about the amount involved-cannot my friend tell me what the amount involved is?

**The Honourable Dr. B. R. Ambedkar :** I must have notice of the question. As regards Mr. Jaffer's question, I would like to inform the Honourable Member that the man does not belong to the Scheduled Castes.

**Prof. N. G. Ranga :** Even if he did belong to the Scheduled Caste, is it wrong not to suspend a man when there is a case against him ?

**Mr. President:** Order, order—No argument.

**Sri M. Ananthasayanam Ayyangar :** How long has this been under investigation and is it departmental or by the police ?

**The Honourable Dr. B. R. Ambedkar :** So far as I remember—I cannot say definitely—the matter of course is investigated by the C. D.

## 392

### * Grievances of Muslims *Re:* Appointments as Superintending Engineers

720. **Mr. Muhammad Rahmat-Ullah:** (a) Has the attention of the Honourable the Labour Member been drawn to the articles

* Legislative Assembly Debates (Central), Vol. III of 1946, 6th March 1946, p. 1936.

published in the Dawn of the 27th October, 12th November and 19th December, 1945 ? What action has been taken to redress the grievances of the Mussalmans ? If not, why not ?

(b) Is it not a fact that out of the fourteen Superintending Engineers only one is a Muslim ?

(c) Are Government aware that there are three qualified Executive Engineers in the Headquarters who are competent to hold the office of Superintending Engineer?

(d) Are Government aware that persons of less qualifications and standing of other communities have been appointed Superintending Engineers, if so, why were the claims of the Mussalmans ignored ?

(e) Are Government aware that an I. S. E. Muslim Executive Engineer was ignored and the chance of a Superintending Engineer in the Headquarters Office was given to an officer who has risen from the ranks and is to retire very shortly ?

**The Honourable Dr. B. R. Ambedkar :** (a) I have seen the articles. The posts in the Central Public Works Department which are subject to the operation of the communal representation rules, are duly filled in accordance with the requirement of those rules. It is, however, not possible to earmark individual posts for officers of a particular community.

(b) Yes.

(c) It is not clear which Executive Engineers the Honourable Member referring to. None of the Executive Engineers of the Central Public Works Department who are posted in Delhi have, however, become due for promotion to the rank of Superintending Engineer.

(d) and (e) The posts of Superintending Engineer are Selection Posts and appointments to these are made purely on the basis of merit. In filling these posts the claims of all eligible Executive Engineers are considered and the officer who is considered to be most suitable is appointed. The case of the I. S. E. Muslim Officer mentioned by the Honourable Member was also duly considered.

# 393

## * Grant of Money for Taming River Kosi in Bihar

**734. Shri Satya Narayan Sinha**: (a) Is the Honourable the Labour Member aware that the Governor General, during his last tour of Bihar, had flown to the area devastated by the vagaries of the river Kosi and that he was so much impressed with the pitiable situation obtaining there that he decided to move the Central Government for granting an adequate amount for taming the river and thus to save the lives and properties of the millions of the people concerned ? If so, what is being done in that regard ?

(b) Has any project been made ready ? If not, what steps are being taken to expedite the matter which concerns the question of life and death for millions of people ?

**The Honourable Dr. B. R. Ambedkar :** (a) The Governor General during a recent tour did fly over the area devastated by the Kosi floods and did cause a communication to be sent to the Labour Department emphasising the importance of controlling the river as early as possible.

(b) The Central Waterways, Irrigation and Navigation Commission are conducting the investigations. They have with the permission of the government of Nepal started aerial and ground surveys and the geological and hydrological investigations for the purpose. Investigation is being conducted with a view to planning the control of the Kosi by means of a storage dam in the Nepal Himalayas. Such dam will not only store surplus flood water and the large volumes of coarse silt carried by it and so prevent the damage at present caused by Kosi floods but it is hoped will also provide water for perennial irrigation of an area estimated at 3 million in both Nepal and Bihar and also will offer opportunities for the generation of cheap hydro-electric power. The investigation is being treated as one of high priority.

* Legislative Assembly Debates (Central), Vol. III of 1946, 6th March 1946, p. 1949.

# 394

## * Loss to Junior Copyholders in Government Press, New Delhi

740. **Maulana Zafar Ali Khan**: (a) Will the Honourable the Labour Member kindly state whether it is a fact that in the Government of India Press, New Delhi many Junior Readers are sustaining a loss of Rs. 10 or Rs. 5 per month in their promotion from the post of a Copyholder to that of a Junior Reader, and that the rate of increment too is Rs. 5 per annum in the case of Copyholders whereas Rs. 3 only for Junior Readers ?

(b) What steps do Government propose to take to compensate them for their monetary loss and redress the anomaly in the existing rates of pay of a Copyholder and a Junior Reader ?

(c) Is it also a fact that the arrears of the unified scale of pay to Copyholders sanctioned in the month of July, 1945, still remain unpaid, in spite of there being several representations in person ?

(d) What are the reasons therefor, and do Government propose to give any compensation for such delay under the Payment of Wages Act ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar:** (a) Yes, in the case of those Copyholders who chose the unified scale of pay and were later promoted as Junior Readers.

(b) The question is under consideration.

(c) Yes.

(d) Although issued in July 1945 the orders had retrospective effect from September 1st 1944. Time had to be allowed to the employees concerned to elect for the unified scale. Then the pay of those who chose the scale had to be fixed allowing each the benefit of past service to the extent of three years. The accounts authorities are pre-auditing the bills. Payment will be made shortly. The reply to the latter portion of the question is in the negative.

* Legislative Assembly Debates (Central), Vol. Ill of 1946, 6th March 1946, p. 1952.

# 395

## * Muslim Gazetted Officers in Estate Office

741. **Khan Bahadur Makhdum Al-Haj Syed Sher Shah Jeelani**:

(a) Will the Honourable the Labour Member kindly state the existing number of the Gazetted posts in the Estate Office, New Delhi ?

(b) How many out of them are being held by Muslims ?

(c) Is the Honourable Member aware of the fact that in 1943 it was decided by the Labour Department in consultation with the Home Department that the posts of the Assistant Estate Officers will be filled by promotion from amongst the highly qualified Superintendents of the Central Public Works Department ? If so, does the Honourable Member propose to see that the policy once laid down is adhered to ?

(d) Do Government propose to see that the post now vacant which was reserved for a Muslim is under the rules filled by another Muslim in replacement ?

**The Honourable Dr. B. R. Ambedkar :** (a) Five.

(b) None at present.

(c) Although prior to the separation of the Estate Office from the Central Public Works Department Organisation, the normal method of recruitment to the post of Assistant Estate Officer in the office of the Chief Engineer was by selection and promotion from among the Superintendents in that office, this position has since changed. The Estate Office now is not a part of Central Public Works Department but is directly under Labour Department. The Superintendents in the Chief Engineer's Office have therefore no claim now as of right for promotion to the post of Assistant Estate Officer in the Estate Office, but their cases may also be considered on merits when filling any of these posts.

(d) The question as to how the post which is now vacant should be filled is still under consideration.

**Mr. Muhammad Nauman :** With reference to Part (b) may I know how these five posts were filled and were there no Muslims who could be considered fit to occupy these posts ?

**The Honourable Dr. B. R. Ambedkar:** I must have notice of this question.

* Legislative Assembly Debates (Central), Vol. III of 1946, 6th March 1946, p. 1952.

# 396

## * Stoppage of Employment of Forced Labour

743. **Sri M. Ananthasayanam Ayyangar:** Will the Honourable the Labour Member be pleased to state :

(a) the extent of forced labour in this country,

(b) what steps, if any, Government propose to take to stop the employment of forced labour in this country,

(c) whether any steps have been taken by Government to fix a minimum standard of wages for agricultural and industrial labourers in several parts of this country, and

(d) whether Government is proposing to take any steps either by legislation or otherwise to see that labour is adequately and regularly paid, if so, what, if not, why not ?

**The Honourable Dr. B. R. Ambedkar:** (a) No detailed information is available.

(b) The attention of the Honourable Member is drawn to the reply given to Starred Question No. 381 of Professor N. G. Ranga, on 20th February 1946.

(c) Proposals for minimum wage legislation for agricultural and industrial labour are under consideration.

(d) The proposed minimum wage legislation will provide for fixing minimum wages and for ensuring payment of wages at not less than the rates fixed.

# 397

## @ Muslims for Advance Training in Electrical Engineering

747. **Seth Yusuf Abdoola Haroon :** Will the Honourable the Labour Member be pleased to state—

(a) the number of Electrical Engineers selected by the Electrical Commissioner on behalf of the Labour Department and deputed

* Legislative Assembly Debates (Central), Vol. III of 1946, 6th March 1946, p. 1955.
@ *Ibid.,* p. 1957.

overseas for advance training in the Electrical Engineering last year,

(b) the number of Muslims thus selected,

(c) if it is a fact that this selection was made without the publicity being given through the Press, if so, why, and

(d) if the Muslim quota has not been kept up in the last batch, whether the Honourable Member proposes to give an assurance that a larger number of Muslims will be included in the next selection ?

**The Honourable Dr. B. R. Ambedkar :** (a) Selected—10, Deputed

overseas—9

(b) One.

(c) The Provinces and major States were apprised of the scheme for training of Indians abroad and asked to make a preliminary selection of suitable candidates. 24 names were put forward by them of whom 22 appeared for interview and ten selected.

There was therefore no necessity to give publicity to the scheme in the Press.

(d) The Provinces and Major States recommended only one Muslim for selection and he was selected by Government. As such, the latter portion of this part of the question does not arise.

# 398

## * Appointments to the Post of Administrative Officer, Central P.W.D.

752. **Sardar Mangal Singh:** Will the Honourable the Labour Member please state—

(a) the number of persons who have sucessively held the post of Administrative Officer, Central Public Works Department so far,

(b) to which community each one belonged,

(c) whether it is a fact that no Sikh or a Hindu has so far been appointed to this post, if so, why, and

(d) if he proposes to consider the advisability of appointing a Sikh to the post which is now lying vacant, if not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Four.

* Legislative Assembly Debates (Central), Vol. III of 1946, 6th March, 1946, p. 1959.

(b) The communities to which the Officers belonged were as follows—

(1) Anglo-Indian

(2) Muslim.

(3) Anglo-Indian

(4) Muslim.

(c) Yes. The orders regarding communal representation in the public services are not applied singly to the post of Administrative Officer but to all Class I posts in the Central P.W.D. taken together. It is, therefore, not possible to ensure that the post of Administrative Officer is filled by a member of a particular community.

(d) The question of filling the post is still under consideration.

# 399

## * Application of Payment of Wages Act to Jodhpur Railway

756. **Seth Sukhdev :** Will the Honourable the Labour Member be pleased to state—

(a) whether it is a fact that the provisions of the Payment of Wages Act IV of 1936 apply to the portion of the Jodhpur Railway running through British India, if so, why the Conciliation Officer (Railways) and the Supervisor of Railway Labour's annual reports for three years 1941-44., published in the Indian Labour Gazette, contain no reference to Jodhpur Railway, and

(b) if the information in regard to the inspection of the British portion of the Jodhpur Railway is available for these years whether the Honourable Member proposes to lay a statement on the table of the House giving the following information for the Jodhpur Railway—

(1) the number of staff (i) adults, (ii) children, (iii) substitutes and (iv) total wages paid to them,

(2) the number of employees fined and the amount of fine recovered,

* Legislative Assembly Debates (Central), Vol. III of 1946, 6th March, 1946, p. 1961.

(3) the number of employees debited with loss or damage of goods and the amount so recovered, and

(4) the number of inspections held and irregularities noted ?

**The Honourable Dr. B. R. Ambedkar :** (a) The answer to first part of the question is in the affirmative. The note published in the Indian Labour Gazette contains of the Payment of Wages Act on Railways.

(b) (1) to (3) A statement containing the available information is placed on the table of the House.

(4) The information is not readily available.

Statement showing the staff employed by the Jodhpur Railway Administrations in factories and otherwise than in factories in the British Section of the Railway according to the returns submitted in pursuance of the provisions of Rule 17 of the Payment of Wages (Federal Railway) Rules 1938.

| | | 1941-42 | 1942-43 | 1943-44 |
|---|---|---|---|---|
| Total number of persons employed— | | | | |
| Adults | ... | 1901 | 1933 | 2024 |
| Children | ... | Nil | Nil | Nil |
| Total wages paid | ... | Rs. 5,82,379 | Rs. 6,35,938 | Rs. 6,21,433 |
| Number of employees fined | ... | 128 | 102 | 140 |
| Amount of fine recovered | ... | Rs. 41 | Rs. 31 | Rs. 48 |
| Number of employees debited with loss or damage of goods. | | 1,102 | 1,127 | 1,303 |
| Amount recovered for damage | ... | Rs. 1,287 | Rs. 1,129 | Rs. 1,985 |

# 400

## * Disposal of U. S. Army Chapel in New Delhi

764. **Sri S. T. Adityan :** Will the Honourable the Labour Member please state whether the U. S. Army Chapel, Parliament Street, New Delhi, is going to be surrendered to Government, if so, what Government propose to do with it ?

**The Honourable Dr. B. R. Ambedkar :** Yes, the matter is now under consideration.

* Legislative Assembly Debates (Central), Vol. III of 1946, 6th March 1946, p. 1971.

# 401

## * Release of Personnel from Government Departments

769. **Mr. Manu Subedar :** (a) Will the Honourable the Labour Member please state the total number of men, temporary and permanent, who are to be released in 1946 from (i) the War Department, including Army, Navy and Air Force (ii) Railways, and (iii) other Departments of Government ?

(b) Is it a fact that some of them have put in exemplary service and are being now released ?

(c) What steps are Government taking for getting them re-absorbed in other Departments ?

(d) What special works do Government propose to set up for getting these men re-absorbed ?

(e) Is it a fact that, simultaneously while Indians from various services are being thrown out of work, Britishers are being recruited for other services ?

(f) Have Government considered the desirability of stopping such recruitment and taking Indians by giving them an opportunity to adapt themselves for other work for which fresh recruitment is started ?

(g) 70 per cent of posts ordinarily filled by direct recruitment occuring in Central Government and in the various Provincial Governments, and what is the machinery devised by Government to make necessary arrangements ?

**The Honourable Dr. B. R. Ambedkar :** (a) The information is not readily available. It is being collected and will be laid on the table in due course.

(b) Yes.

(c) Instructions have been issued requiring Departments to arrange for the registration at Employment Exchange of discharged personnel and directing them to fill vacancies as far as possible through Employment Exchanges.

(d) Central and Provincial Governments are embarking on schemes selected out of the five-year plans with the special object of

* Legislative Assembly Debates (Central), Vol. III of 1946, 6th March 1946, p. 1972.

counteracting any tendency to deflation and unemployment. These include productive schemes and schemes of economic importance which may not be self-financing, e.g. minor irrigation, roads, anti-errosion, agricultural measures, forests, etc. The two categories will provide *inter alia* considerable scope for building works, training and research, resettlement of ex-servicemen. Some other schemes, outside the five-year plan, e.g. public health schemes, especially anti-malarial measures, water supply and drainage schemes, which will provide a considerable volume of employment, are also being taken up.

(e) No, except in those cases where specialists are required for particular appointments or the number is small and is required in the public interest.

(f) Does not arise.

(g) 70 per cent of posts ordinarily filled by direct recruitment occuring between the 20th June 1942 and 31st December 1945, have been reserved for 'war service' candidates. Information regarding proportion of vacancies reserved by various Provincial Governments is not readily available. Applications for war reserved Vacancies in the superior services have been invited from candidates and the last date of the receipt of applications was 15th February 1946 in respect of vacancies in non-technical services and 1st April 1946 in respect of vacancies in technical services. Candidates for technical services will be interviewed by the Federal Public Service Commission who will make a final selection. Candidates for the non-technical services will be first tested by Selection Boards of the type used by the War Department for recruiting officers for Commissions and subsequently interviewed by the F.P.S.C. who will make a final selection. In respect of vacancies in the Subordinate and Inferior Service arrangements have been made to receive applications from ex-servicemen after they are demobilised. .

# 402

## * Conditions of Service of Staff in Viceregal Estates Division

70. **Sardar Mangal Singh :** Will the Honourable the Labour Member please state the detailed conditions of service, i.e., scale of

* Legislative Assembly Debates (Central), Vol. III of 1946, 6th March 1946, p. 1974.

pay, other free concessions granted and the place of duty, etc., under which the clerical and subordinate staff used to be employed in the Viceregal Estates Division at Simla or Delhi prior to the 14th July 1946 ?

**The Honourable Dr. B. R. Ambedkar :** A statement is laid on the table. (*See* p. 988).

# 403

## * Application of Hours of Employment Regulations to Jodhpur Railway

71. **Seth Sukhdev :** Will the Honourable the Labour Member be pleased to state :

(a) whether the Hours of Employment Regulations apply to the Jodhpur Railway portion running through die British India,

(b) if the reply to (a) above be in the affirmative, why no reference to it is made in the Conciliation Officer and Supervisor of Railway Labour's report for three years 1941-44, published in the issue of the Indian Labour Gazette for December 1945, and

(c) whether the Honourable Member will please lay on the table of the House a statement showing the following information for the British portion of the Jodhpur Railway, separately, for three years, 1941-44 —

(i) the number of staff employed,

(ii) the number of staff affected by the regulations,

(iii) the number of staff classed as continuous workers,

(iv) the number of staff classed as 'essentially intermittent workers',

(v) the number of staff excluded,

(vi) the percentage of staff enjoying calendar day's rest,

(vii) the number of inspections held,

(viii) the number of cases in which the classification was challenged by the Labour Inspectorate,

(ix) the number of doubtful cases which were referred to the Labour Department of the Government of India for decision, and

* Legislative Assembly Debates (Central), Vol. III of 1946, 6th March 1946, p. 1976.

## STATEMENT

(*See* S. No. 403, reply by Dr. Ambedkar to Q. No. 70)

| Sr. No. | Name | Designation | Scale of Pay | Pay at the time of transfers from the viceregal Estates | Nature of free Concessions enjoyed | Place of duty |
|---|---|---|---|---|---|---|
| 1 | Mr. Hussain Ali | Sanitary Overseer | Rs. 80—7—255 | Rs. 241 | Rent-free accommodation and exemption from payment of taxes, water rates and lighting charges. | New Delhi |
| 2 | Mr. Shiv Saran Das | Building Supervisor | 200-10-400 | 340 | ” | ” |
| 3 | Mr. B. G. Mathur | ” | ” | 290 | ” | Simla |
| 4 | Mr. B. C. Banerjee | ” | ” | 200 | ” | Calcutta |
| 5 | Mr. Mohan Lai | Draftsman | 60-5-150 | 130 | ” | New Delhi |
| 6 | Mr. Madho Narain | Sub-Overseer | 75–4–95–5–150 | 135 | ” | Simla |
| 7 | Mr. P. N. Chatterjee | Electrical Supervisor | 200-10-400 | 400 | ” | ” |

1. Retired
2. Since Died
3. Retired
4–7. No more in the Viceregal Estate Division.

(x) the number of employees discovered working beyond rostered hours (i) habitually and (ii) occasionally ?

**The Honourable Dr. B. R. Ambedkar :** (a) The answer is in the negative.

(b) Does not arise.

(c) Information is not readily available.

# 404

## * Statutory Rules *re* Inspections of Railway Contractors' Labour

72. **Seth Sukhdev :** Will the Honourable the Labour Member be pleased to state :

(a) whether his attention has been drawn to a remark in the report of the Conciliation Officer (Railways) and Supervisor of Railway Labour, for the years 1941-44, published in the Indian Labour Gazette for November, 1945 to the effect that the Labour Inspectorate appointed under the Payment of Wages Act, was handicapped in the inspection of Railway Contractor's Labour Establishments in the absence of statutory rules requiring contractors to maintain registers of wages, fines and deductions, and

(b) whether it is proposed to amend the statutory rules, if so, when, if not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) The answer is in the affirmative. (b) The matter is under consideration.

# 405

## @ Factories (Amendment) Bill Presentation of the Report of the Select Committee

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : Sir, I present the Report of the Select Committee on the Bill further to amend the Factories Act, 1934.

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* Legislative Assembly Debates (Central). Vol. III of 1946, 6th March 1946, p. 1998.

@ *Ibid.,* p. 1999.

# 406

## * Housing Conditions of Labourers Employed by Central P.W.D. and Building Contractors in New Delhi

867. **Shri M. Ananthasayanam Ayyangar** : Will the Honourable the Labour Member please state :

(a) the number of labourers employed directly under the Central Public Works Department and by building contractors in New Delhi for the construction of buildings in New Delhi and near about,

(b) if it is a fact that these labourers are housed in miserable ill-ventilated hovels, exposed to the vagaries of the weather all the time in sun, and rain and cold, and

(c) if the answer to (b) above is in the affirmative, what steps he proposes to take in order to provide them with cheap and sanitary housing arrangements, if none, why ?

**The Honourable Dr. B. R. Ambedkar :** (a) About 12,000 labourers are employed directly under the C.P.W.D. whereas the number of labourers employed by the building contractors varies with the magnitude of the building programme.

(b) Some of the C.P.W.D. labourers have been allotted Government quarters and others have made their own arrangements for residential accommodation.

As regards the labourers employed by the contractors, about 9,000live in their houses in the urban area of Delhi. The remaining labourers who come from outside either come to the work daily from their villages or are accommodated by the contractors at the site of the works in thatched huts which give them a certain amount of protection against sun, rain and cold.

(c) The Government have already considered the question of providing permanent accommodation to the labourers employed by the contractors and are considering the development of model bustees in the villages near Delhi, from which labour comes. Government's scheme for subsidised housing for the poorer sections of the people

* Legislative Assembly Debates (Central), Vol. III of 1946, 12th March 1946, p. 2224.

should also assist in the provision of better housing for contractors' labourers.

The question of providing housing facilities to C.P.W.D. labourers who have not been provided with Government accommodation is under Government's active consideration.

# 407

## * Making Mica a Central Subject

890. **Shri Satya Narayan Sinha :** (a) Will the Honourable the Labour Member be pleased to state whether it is a fact that the British Parliament is going to amend the Government of India Act in such a way as to make Mica a Central subject?

(b) If so, will the Honourable Member kindly have it postponed till the representative Government is ushered in Bihar, which is a question of a few weeks ?

**The Honourable Dr. B. R. Ambedkar :** (a) A bill has been introduced in the British Parliament to amend the Government of India Act in such a way as to give the Centre power to make laws in regard to certain matters including Mica for the transitional period from War to Peace.

(b) For the long period Government are considering the introduction of legislation in this House with reference to Item 36 of List I of the Government of India Act to bring certain aspects of Mica under Central Control.

# 408

## @ Grievances of Employees of Government Press, Aligarh

896. **Pandit Sri Krishna Dutt Paliwal :** Will the Honourable the Labour Member be pleased to state :

(a) whether the employees of the Government Press, Aligarh, have given notice of strike, if so, what are their grievances and demands,

* Legislative Assembly Debates (Central), Vol. III of 1946, 12th March 1946, p. 2236.

@ *Ibid.,* p. 2238.

(b) if Government intend to give them a minimum living wage, if so, when, and how much,

(c) the amenities provided to them such a bathing facilities, outdoor games, education of children, provision of quarters and medical aid,

(d) their working period per week, and whether Government propose to reduce these hours to 40 per week,

(e) if Government propose to supply them foodgrains at concession rates similar to those enjoyed by the Delhi Press and other Government Departments, and

(f) whether Government intend to abolish the piece wage system and introduce monthly pay on the basis of the wages earned by the employees at present ?

**The Honourable Dr. B. R. Ambedkar** : (a) Yes. The grievances are :

(i) reduction made by the Government of U. P. in the rationing of wheat,

(ii) revision of pay and grades,

(iii) concessional rates of foodgrains on the lines of concession allowed to Government servants in Delhi,

(iv) abolition of piece rates,

(v) revision of working hours, and

(vi) provision of quarters.

The immediate cause of the notice of a strike is the reduction in wheat rationing.

(b) The question is a general one which is engaging the attention of Government.

(c) No facilities exist at present other than for outdoor games and medical attendance. The question of granting other facilities is under consideration.

(d) The weekly working hours are 48. The question whether a reduction is advisable is being considered.

(e) No. The Employees of the Aligarh Press get foodgrains at concession rates on the lines of the U. P. Government's orders.

(f) The present policy of Government is to substitute gradually time scales of pay for both piece rates as opportunities occur.

# 409

## * Certain Promotions of Junior Readers in Government of India Presses

900. **Hajee Chowdhury Mohammad Ismail Khan :** (a) Will the Honourable the Labour Member be pleased to state the basis on which Junior Readers in all the Government of India Presses are promoted to the post of Senior Readers ?

(b) Is it a fact that certain departmental employees who passed the Readership Examination at an earlier date and entered the Junior Reader's grade earlier have been superseded not only in the Junior Reader's grade but also in the Senior Reader's grade, by those who entered the Junior Reader's grade later, in any of the Government of India Presses ?

(c) Is it also a fact that certain qualified Copyholders who have greater length of total service as Junior Readers at their credit, have been declared Junior in the Junior Reader's grade, to those who have lesser length of total service as Junior Readers and who failed to qualify in the Readership Examination in which they appeared along with the former?

(d) Is it a fact that Copyholders who have put in greater length of total service in copyholder's posts have been treated as Senior ?

(e) Does the Honourable Member propose to consider the desirability of filling up Senior Reader's posts on the basis of total length of service in the Junior Reader's grade ?

**The Honourable Dr. B. R. Ambedkar :** (a) Except for the post of Head Reader which has been declared a "selection post", the basis for the promotion of Readers from one grade to another is seniority cum fitness.

(b) and (c) Yes, in those cases where Senior Copyholders qualified in the readers' examination before the confirmation as reader of their juniors who qualified earlier. The examination being a qualifying one, it is the length of service and not the date of passing the examination that determines seniority for the purpose of appointment as readers.

* Legislative Assembly Debates (Central), Vol. III of 1946, 12th March 1946, p.2240.

(d) Yes, upto April 1943, after which seniority is determined by the length of continued service.

(c) As stated in (a) above, this is already being done except in certain selection posts of Head Readers in different Presses which are filled by selection on merit.

# 410

## * Muslim Section Holders and Overseers in Government Press, New Delhi

904. **Hajee Chowdhury Muhammad Ismail Khan** : (a) Will the Honourable the Labour Member please state the total number of permanent and temporary posts of Overseers and Section holders in the Government of India Press, New Delhi, and how many of them are at present held by Muslims ?

(b) What are the duties and functions of the various Overseers in the said Press ?

**The Honourable Dr. B. R. Ambedkar :** (a) 7 Overseers, 12 Section holders. Of the seven Overseers' posts, two are held by Muslims. One is vacant. Four out of the 12 posts of Section holders are held by Muslims.

(b) An Overseer is entirely responsible for—

(i) maintaining quality and quantity of the outturn of the operatives working under him,

(ii) keeping the sections under him fully occupied with work,

(iii) expeditious handling and economical production of work,

(iv) careful scrutiny of all overtime requisitions and keeping overtime down to a minimum, and

(v) ensuring equitable distribution of work among the operatives.

A non-technical Overseer is responsible for strict supervision over most secret and confidential work at all stages in the Press.

* Legislative Assembly Debates (Central), Vol. III of 1946, 12th March 1946, p. 2242.

# 411

## * Officiating Promotion of Rai Sahib C. P. Mallik as Superintending Engineer

907. **Dr. Sir Zia Ahmad :** (a) With reference to his reply to starred question No. 599, dated the 28th February 1946, regarding Rai Sahib C. P. Mallik carrying on the work of Superintending Engineer will the Honourable the Labour Member please state the significance of asking an Executive Engineer to carry on the work without appointment ?

(b) Does the person so invited carry on the duties of his substantive appointment as Executive Engineer ? If so, does he send his reports as an Executive Engineer to himself as Superintending Engineer ? If not, to whom are his reports sent ? If not, will the Honourable Member explain the difference between appointment and carrying on the work ?

**The Honourable Dr. B. R. Ambedkar :** (a) and (b). The significance of the arrangement is that officer does not draw the pay of a Superintending Engineer but draws only a small extra allowance for holding current charge of the routine duties of the higher post in addition to his own duties as Executive Engineer. His reports as Executive Engineer are submitted to the next higher officer, i.e., the Chief Engineer.

This arrangement has the full sanction of administrative Rules and usage.

# 412

## @ Efforts to Find Muslims for Certain Posts in Administrative Side of Central P.W.D.

908. **Dr. Sir Zia Uddin Ahmad :** (a) Will the Honourable the Labour Member be pleased to state whether he has approached a person of the Scheduled Class to accept the office of Administrative Officer ? If so, who is the person, and what was his reply ?

* Legislative Assembly Debates (Central), Vol. IV of 1946, 12th March 1946, p. 2244.
@*Ibid*.

(b) Did he make any attempt to find a suitable Muslim ?

(c) Has the Honourable Member decided to fill up all the posts of officers in the Administrative side of the Central Public Works Department by Hindus and members of the Scheduled Caste ? If not, what steps has he taken to find out suitable officer to fill up the post of Administrative Officer ?

**The Honourable Dr. B. R. Ambedkar** : (a) No. Does not arise.

(b) Does not arise.

(c) No decision has been reached. The question of filling the post is under consideration.

# 413

## * Employment of Unemployed Women in Coal Mines

1008. **Prof. N. G. Ranga** : Will the Honourable the Labour Member be pleased to state :

(a) whether any efforts are made and if so, what they are to provide alternate employment to those women who had been working in coal mines and who are unemployed since the 1st February,

(b) why Government allow employers to utilise the services of contractors to provide some work for some of those unemployed women,

(c) the wages paid to these women by Contractors, and

(d) why Government refuse to continue the grant to their families on the account of these women, of the additional half a seer of free rice, half a seer of free milk and concessions in purchasing rice and dal, in view of the fact that male members of their families are working in the mines ?

**The Honourable Dr. B. R. Ambedkar :** (a) Attention of the Honourable Member is invited to the answer given in reply to part (b) of starred question No. 466, on the 25th February 1946.

(b) Contractors are employed for building, sand loading and unloading, brick making, etc., and some women excluded from the

* Legislative Assembly Debates (Central), Vol. IV of 1946. 15th March 1946, p. 2458.

underground working have been employed on these classes of work, which are always let on contract.

(c) The earnings of women so employed are between 10 to 12 annas a day excluding half a seer free rice and a bonus of two annas for each attendance.

(d) The additional ration concessions are only given to coal mine workers.

The concession regarding free supply of milk to women workers employed underground in coalmines was prescribed as a compensatory measure in connection with the removal of ban on their employment underground. Consequent on the reimposition of the ban from 1st February 1946, the concession has ceased to be in force from that date.

**Prof. N. G. Ranga :** In regard to the question of concession in purchasing rice and dal, why should it not be continued now in regard to those women who are now to work on the surface but who previously used to work underground ?

**The Honourable Dr. B. R. Ambedkar :** As I said in my reply those privileges were given when they used to work underground. As soon as the ban has been re-imposed, there is no justification for giving them this compensatory allowance.

**Prof. N. G. Ranga :** The other day the Secretary to the Honourable Member was saying that some protective measures were being taken in order to protect the workers from the vagaries of these contractors. Are we to understand that from being exploited ?

**The Honourable Dr. B. R. Ambedkar :** I did not understand who said that.

**Prof. N. G. Ranga :** The Honourable Member's Secretary, Mr. Joshi, said that the contractors are being entertained here and through those contractors these women are being employed. Are we to understand that sufficient measures are being taken by Government to protect these women from being exploited by these contractors ?

**The Honourable Dr. B. R. Ambedkar :** All I can say is that if the Honourable Member will put down a specific question, I will get an answer.

**Diwan Chaman Lall:** Has the Government insisted on a fair wages clause in the contract ?

**The Honourable Dr. B. R. Ambedkar :** So far as my information goes, that clause has been inserted in the contracts.

**Mr. Manu Subedar :** What steps Government are taking generally to examine **the** problem that the contractor may be eliminated and the labour should work directly for the employer ?

**The Honourable Dr. B. R. Ambedkar :** That matter is under examination.

**Diwan Chaman Lall:** My question related to the fair wages clause being inserted in the contracts of these women workers ?

**The Honourable Dr. B. R. Ambedkar :** That has not been done so far, it may be considered.

# 414

## * Construction of a Dam Across the Laxmanatritha River

1009. **Shri D. P. Karmarkar :** Will the Honourable the Labour Member be pleased to state :

(a) whether the construction of a dam across the Laxmanatritha river in Coorg is contemplated, and whether the said project is being taken up in expectation of irrigation about 30,000 acres of land,

(b) whether the Mysore Government have raised objections to the said scheme,

(c) whether the Government of India have been addressed in this matter by the Chief Commissioner of Coorg, and

(d) whether the Government of India have arrived at **a** decision in the mailer, if so, what that decision is, if not, whether Government propose to arrive at an early decision to enable the Coorg Government to proceed with the speedy execution of the project ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes, but the project as prepared in 1942 was estimated to irrigate only about 3,000 acres.

(b) Information is not available, it is being called for.

(c) and (d) The project was examined but it was found to be wanting in certain technical aspects. The Chief Commissioner, Coorg,

* Legislative Assembly Debates (Central), Vol. IV of 1946, 15th March 1946, p. 2459.

was asked to revise the project in the light of the technical advice and also to enquire of the neighbouring State whether they had any objection to its execution. The revised project has not so far been received from the Chief Commissioner, Coorg, though it is included in the five year post-war plan of the Coorg Administration.

# 415

## * Allocation of Expenditure for Employment and Resettlement Directorate

1017. **Mr. Vadilal Lallubhai :** Will the Honourable the Labour Member please state :

(a) the expenditure allocated for the Employment and Resettlement Directorate, separately, as between the centre and regional centres,

(b) the strength of the staff at these different centres,

(c) the total number of ex-servicemen that have registered their names at these centres for employment and

(d) for how many of these ex-servicemen suitable alternative employment has been found by the Directorate ?

**The Honourable Dr. B. R. Ambedkar :** (a) The question is not clear but presumably the Honourable Member wants to know the annual estimated expenditure on the Directional and Administrative staff of the Directorate-General of Resettlement and Employment during the year 1946-47. It is as follows :—

| | | Rs. |
|---|---|---|
| Headquarter | ... | 27,14,800 |
| Regional Centres | ... | 1,08,32,500 |
| Total | ... | 1,35,47,300 |

For details reference is invited to the Budget estimates for 1946-47. The expenditure on Regional and Sub-Regional Employment Exchanges will be shared between the Centre and Provinces in the proportion of 60 and 40 respectively.

* Legislative Assembly Debates (Central), Vol. IV of 1946, 15th March 1946, p. 2468.

(b) Detailed statements showing the number of posts sanctioned for the Central and Regional sections of the organisation and the number of posts filled so far are given at Appendix I to the Progress Report of the Directorate-General of Resettlement and Employment for the period 18th July to 31st December 1945 a copy of which has been placed in the Library of the House.

(c) The Employment Exchanges are responsible for the registration and placement of not only demobilised services personnel but also discharged war workers. The total number of persons registered at the Employment Exchange and the Resettlement and Employment offices up to 31st December 1945, was 50,658 out of which 29,925 were Ex-Servicemen. It may be pointed out in this connection that the second phase of demobilisation started only on the 15th November 1945. According to the forecast of Army Release nearly 15,00,000 persons will be demobilised up to the end of March 1947. It is difficult at this stage to estimate as how many out of these persons will require Resettlement and Employment assistance.

(d) The total number of persons placed in employment up to 31st December 1945 by Employment Exchanges and Resettlement and Employment offices was 9,516. Out of these 2,841 were Ex-Servicemen.

# 416

## * Contract Works to Muslims and Non-Muslims by Central P.W.D.

1021. **Seth Yusuf Abdoola Haroon** : Will the Honourable the Labour Member kindly place on the table of the House a comparative statement showing the amount of contract works given by tenders and by work orders, separately, to Muslim and Non-Muslim contractors in the construction Division No. III New Delhi 'A' Division, New Delhi 'B' Division, Provincial Division and Special Division No. I, of the Central Public Works Department in New Delhi, during the last three years by the present Executive Engineers, or by their predecessors.

* Legislative Assembly Debates (Central), Vol. IV of 1946, 15th March 1946, p. 2472.

**The Honourable Dr. B. R. Ambedkar :** The information asked for is not readily available and the time and labour involved in collecting it would be incommensurate with the value of the result.

**Seth Yusuf Abdoola Haroon :** May I know from the Honourable Member why is he not prepared to reveal this information. I have definite information that the contracts given to Mussalman in this Branch were very low.

**The Honourable Dr. B. R. Ambedkar :** If my Honourable friend has the information, I do not know why he is troubling me.

**Seth Yusuf Abdoola Haroon :** I am troubling the Honourable Member because our cause is being hit and Muslims are being ignored by the Honourable Member's Department, and I want to reveal that case on the floor of the House.

**The Honourable Dr. B. R. Ambedkar :** I have nothing to add to the reply I have given.

**Seth Yusuf Abdoola Haroon :** Will the Honourable Member see his way to place this information on the table of the House at a later stage ?

**The Honourable Dr. B. R. Ambedkar :** I cannot do it.

**Shri Sri Prakasa :** Has the Honourable Member lost his temper ?

**Mr. President :** Order, Order. Next question.

# 417

## * Sale by Government of India of Eastern and Western Houses in New Delhi

1131. **Seth Govind Das** : Will the Honourable the Labour Member be pleased to state:

(a) Whether Government have noticed the news in the Hindustan Times of the 4th February 1946, that the White Hall was putting pressure on the Government of India to purchase the Western House and the Eastern House on the Curzon Road and Asoka Road, respectively, if so, what reply, if any, has been given by the Government of India, and

(b) Whether the Government of India consider that the price

* Legislative Assembly Debates (Central), Vol. IV of 1946, 21st March 1946, p. 2689.

obtained for the material would be only a fraction of the purchase price ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes. In this connection I would refer the Honourable Member to my answer to parts (a) and (b) of the Honourable Mr. Venkatasubba Reddiar short notice question No. 23 of the 8th February, 1946.

(b) The purchase price has not yet been settled but the price of the materials on the demolition of the building will necessarily be very small as compared with the price of the building.

**Mr. Ahmed E. H. Jaffer :** In reply to part (a) the Honourable Member said 'yes'. Does that mean that pressure was brought to bear from Whitehall ?

**The Honourable Dr. B. R. Ambedkar :** No.

**Mr. Ahmed E. H. Jaffer :** What does the answer 'yes' to part (a) mean ?

**The Honourable Dr. B. R. Ambedkar :** It means that I have noticed the news in the Hindustan Times.

**Mr. President :** Next question.

# 418

## * Threatened Strike in Government Press, Aligarh

1134. **Shri Mohan Lal Saksena** : Will the Honourable the Labour Member be pleased to state if he is aware of a notice of strike given by the employees of the Government Press, Aligarh ?

(b) Is it a fact that the employees are being paid Rs. 12, Rs. 14 and Rs. 15 per month ?

(c) Is he also aware of their oilier grievances with regard to pay, amenities, working hours and supply of rations ?

(d) What action has the Government of India taken or propose to take to meet the demands of the workers ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) Yes, certain categories of employees.

(c) Yes.

* Legislative Assembly Debates (Central), Vol. IV of 1946, 21st Match 1946, p. 2691.

(d) The grievances are receiving attention. Attention of the Honourable Member is invited in this connection to the reply given to the starred question No. 896, on the 12th March, 1946.

**Prof. N. G. Ranga :** With reference to part (b) of this question, how many hundreds of these workers are being paid only 12 or 14 or 15 rupees per month ?

**The Honourable Dr. B. R. Ambedkar :** I am afraid I have not got the facts here.

**Prof. N. G. Ranga** : Is it one of the proposals of the Government to increase the salaries of these people who are so low paid ?

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend knows that the Government has appointed a salaries commission which look into this case generally.

**Dr. Sir Zia Uddin Ahmad :** Is the Honourable gentleman aware of the fact that the University of Aligarh pays a minimum salary of Rs. 30 per month to the low paid staff?

**The Honourable Dr. B. R. Ambedkar :** I congratulate my Honourable friend on that.

**Dr. Sir Zia Uddin Ahmad :** It is no question of congratulation to me or condolance to you—this is the minimum standard for living—we cannot starve our own employees.

**Prof. N. G. Ranga :** Why is it necessary for the Government to wait until that particular commission reports about the salaries in general of all employees and servants in the Government of India, before they can think of increasing these pitiful salaries of 12 and 14 and 15 rupees per month ?

**The Honourable Dr. B. R. Ambedkar :** The Government's intention is that they should have a general policy based on some uniform principle, and that policy cannot certainly be brought into execution unless the matter has been examined by a Commission.

**Seth Govind Das :** By what date is the report of this Commission bring in ?

**The Honourable Dr. B. R. Ambedkar :** I am unable to say but Government propose to expedite this matter.

**Seth Govind Das** : By that time these people will be starving. Docs Government think that till then these people should go on getting this 12 or 14 or 15 rupees per month ?

**The Honourable Dr. B. R. Ambedkar :** The Government has no such intention.

**Shri Mohan Lal Saksena :** Will Government consider the advisability of giving them some temporary relief until the recommendations are received ?

**The Honourable Dr. B. R. Ambedkar :** As I said, the grievances are receiving attention.

**Shri Mohan Lal Saksena :** How long will they take to decide ?

**The Honourable Dr. B. R. Ambedkar :** The matter is under active consideration.

**Shri Mohan Lal Saksena :** Is it not a fact that press employees have gone on strike in other places ?

**The Honourable Dr. B. R. Ambedkar :** Yes, that is so but they are working elsewhere, I understand.

**Shri Mohan Lal Saksena :** Will the Honourable Member see that temporary relief is granted before they are forced to resort to a strike ?

**The Honourable Dr. B. R. Ambedkar:** I cannot give any time limit.

**Mr. Ahmed E. H. Jaffer :** Is it not a fact that the words "under active consideration" usually indicate that there is no time limit, as far as my Honourable friends are concerned ?

**The Honourable Dr. B. R. Ambedkar :** I do not think so.

# 419

## * Surface Work for Women Workers in Coal Mines

1138. **Prof. N. G. Ranga :** Will the Honourable the Labour Member be pleased to state :

(a) how many of the twenty thousand women workers withdrawn from underground in coal mines have been provided with work on the surface;

(b) whether he will enquire how many of the women withdrawn from underground in the State Railway collieries have been fully

* Legislative Assembly Debates (Central), Vol. IV of 1946, 21st March 1946, p. 2696.

employed on the surface on a permanent basis, and how many with six days employment in the week; and

(c) how many of these women have come to be employed by the Welfare Fund mentioned in answer to starred question No. 466, dated the 25th, February, 1946 and how many by Provincial Governments ?

**The Honourable Dr. B. R. Ambedkar :** (a) Exact figures are not available but approximately 50 per cent of the women workers withdrawn from underground in coal mines have been provided with work on surface. Of the remaining 50 per cent about half have gone to their villages while some of the remainder are sitting down at collieries because they are refusing contract work, e.g. coal loading.

(b) All women withdrawn from underground in the State Railways' Collieries have been fully employed on surface works on a permanent basis; 1,060 women employed on six days per week basis.

(c) No women have yet been employed by the Welfare Fund but sites are being requisitioned for the establishment of vegetable gardens and farms in the Jharia and Raniganj Coalfields and after requisition it is intended that women excluded from underground works will be employed under Head "Malis" appointed by Welfare Fund. The number of women which will be employed by the Provincial Governments is not known at present.

**Prof. N. G. Ranga :** In regard to the women who are obliged to stay at home because they do not like to work under the terms of contract work, what steps do Government propose to take in order to help these women with some employment without the mediation of these contractors ?

**The Honourable Dr. B. R. Ambedkar :** I cannot give an off hand answer.

**Prof. N. G. Ranga :** Why do Government fail to provide work without the mediation of these contractors ?

**The Honourable Dr. B. R. Ambedkar :** This practice has been going on for a long time in State railway collieries.

**Prof. N. G. Ranga :** Is it not a fact that the Royal Commission on Labour reported very strongly against the system of contractors. Will the Honourable Member devise some system to control the vagaries of these contractors ? Do not Government take urgent steps

to devise some other means of providing employment to these women ?

**The Honourable Dr. B. R. Ambedkar :** I hope we shall be able to deal with that matter.

**Mr. Ahmed E. H. Jaffer :** Will the Honourable Member consider the question of submitting this to the Coal Commission that is about to tour India ?

**The Honourable Dr. B. R. Ambedkar :** I do not know that I can do so. I can bring the matter to the notice of the Department concerned.

# 420

## * Ban on Contractors Related to Officers of C.P.W.D.

1143. **Shri Satya Narayan Sinha :** (a) Will the Honourable the Labour Member be pleased to state if it is a fact that in the Central Public Works Department, orders have been issued that contracts for works should not be awarded to any contractor who is a close relative of any officer employed in the Department ?

(b) Is it a fact that near relatives include cousins, brother-in-law, etc. and that officer includes for the purpose of this order Head Clerks, clerks, draftsmen, surveyors, etc. ?

(c) Why was the order issued, and how many contractors have been put out of the list as a result of this order ?

(d) Docs any such rule exist in the working of Public Works Departments in provinces or other countries or in Departments like Military Engineering Service, Railways, Municipal or District Boards in India ?

(e) Was the order issued under directions of the Government of India or by the Chief Engineer, Central P.W.D. on his own initiative ?

(f) In view of the obvious hardship on persons being penalised for the sin of being related to others working in the Department, do Government propose to reconsider the order and withdraw it ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

* Legislative Assembly Debates (Central), Vol. IV of 1946, 21st March 1946, p. 2700.

(b) The term 'close relative' includes also first cousin and brother-in-law.

The term 'officer' does not include for the purpose of the order non-gazetted staff.

(c) The object was to ensure greater public confidence in the Central Public Works Department.

Names of 25 contractors have so far been removed from the approved list of Contractors. Cases of others are under consideration.

(d) Enquiries on this matter have not been made and the Government of India are not aware whether such rule exists in other Departments or Countries.

(e) By the direction of the Government of India.

(f) The matter is under the examination of Government.

# 421

## * Report on Family Budget Enquiries

1156. **Sri M. Ananthasayanam Ayyangar :** (a) Will the Honourable the Labour Member please state when he intends to publish reports on the Family Budget Enquiries which started nearly three years back ?

(b) Will the Honourable Member place before the House the dates on which the first and the last Family Budget were collected in every centre where such enquiries were conducted and state why such an extraordinary period was chosen, for the conduct of such enquiries ?

(c) Are Government aware that the whole purpose and results of these enquiries have been most seriously vitiated by leaving out of account the factor of qualities of items consumed by the workers from the questionnaires of the Family Budget Enquiries altogether ?

(d) Will the Honourable Member please state if an Experts Committee was appointed to ensure uniformity and correct procedure in such Family Budget Enquiries ? If so, how many times did it meet ? Is it a fact that sampling techniques and other important decisions on methods and principles of obtaining and compiling data applied in these enquiries, were approved by the said Experts Committee either before or after their application ? If not, why not ?

* Legislative Assembly Debates (Central), Vol. IV of 1946, 21st March 1946, p. 2710.

**The Honourable Dr. B. R. Ambedkar :** (a) Reports on the Family Budget Enquiries are expected to be completed and published by the end of September 1946.

(b) A statement containing the information required is placed on the Table of the House.

As cost of living index numbers constituted an essential basis for adjustment of dearness allowance, which was urgently required during the war period and as no reliable data in this respect were available, a beginning had to be made without waiting for conditions to return to normal.

(c) The answer is in the negative.

(d) An Expert's Committee was appointed to discuss methods of preparing cost of living indices. It met once and laid down general principles regarding the methods of investigation, which were generally followed.

*Statement showing the dates of starting and closing the Family Budget Enquiries at the various selected centres*

| | Name of Centre | Date of starting the collection of budgets | Date on which the work was finished |
|---|---|---|---|
| I. | Ajmer (1) ..... | 15-11-43 | 15-11-44 |
| II. | Bengal (4)— | | |
| | 1. Howrah & Bally | 28-7-43 | 28-7-44 |
| | 2. Kharagpur | 28-7-43 | 28-7-44 |
| | 3. Narayanganj | 28-7-43 | 28-7-44 |
| | 4. Calcutta | 1-8-44 | 317-45 |
| III. | Bihar (4)— | | |
| | 1. Monghyr & Jamalpur | 9-5-44 | 31-10-44 |
| | 2. Dehri-on-Sone | 1-11-44 | 31-1-45 |
| | 3. Jamshedpur | 1-2-45 | 30-6-45 |
| | 4. Jharia | 1-7-45 | 25-11-45 |
| IV. | Bombay (4)— | | |
| | 1. Bombay | 22-1-44 | 28-2-45 |
| | 2. Ahmedabad | 22-1-44 | 28-2-45 |
| | 3. Sholapur | 22-1-44 | 28-2-45 |
| | 4. Jalgaon | 22-1-44 | 28-2-45 |
| V. | C. P. & Berar (2)— | | |
| | 1. Jubbulpore | 10-4-44 | 15-4-45 |
| | 2. Akola | 2nd week of July 1944 | 15-4-45 |
| VI. | Delhi (1) | 13-10-43 | 31-10-44 |
| VII. | Punjab (3)— | | |
| | 1. Lahore | 1-1-44 | 30-4-45 |
| | 2. Ludhiana | 1-1-44 | 30-4-45 |
| | 3. Sialkot | 1-1-44 | 30-4-45 |

| | Name of Centre | Date of starting the collection of budgets | Date on which the work was finished |
|---|---|---|---|
| VIII | Khewra (2)— | | |
| | 1. Khewra | 1st week of April 1944 | 10-1-45 |
| | 2. Dandot & A.C.C.I. | 15-10-44 | 10-1-45 |
| IX | Sind (1)— | | |
| | 1. Karachi | 1-8-44 | 31-7-45 |
| X | Orissa (2)— | | |
| | 1. Cuttack | 15-12-44 | 15-9-45 |
| | 2. Berhampur | 15-1244 | 15-9-45 |
| XI | U.P. (1)— | | |
| | 1. Cawnpore | January 1945 | Enquiries are proceeding. |
| XII | Assam (3)— | | |
| | 1. Tinsukia | April 1944 | 15-10-45 |
| | 2. Silchar | April 19-14 | 15-10-45 |
| | 3. Gauhati | April 1944 | 15-10-45 |

**Prof. N. G. Ranga :** Will such enquiries be made at least in few test cases in regard to agricultural labour?

**The Honourable Dr. B. R. Ambedkar :** I will bear that in mind although I cannot commit myself.

# 422

## * Compilation of Unweighted Retail Price Index Number

1155. **Sri M. Ananthasayanam Ayyangar :** (a) Will the Honourable the Labour Member be pleased to state the purpose behind the compilation of unweighted Retail Price Index Number by groups about industrial cities and town of this country published in the indian Labour Gazette ?

(b) Were the items and their qualities constituting the groups for which Retail Price Index Numbers are worked out ever made known to the public ? If not, why not ?

(c) Will the Honourable Member place before the House total number of items for each group of every centre for which Retail Price Index Numbers arc being released by the Labour Department ? In this connection, will he also slate what the criterion was for fixing upon

* Legislative Assembly Debates (Central), Vol. IV of 1946, 21st March 1946, p. 2708.

items, their qualities and numbers, on which these unweighted group index numbers are based ?

**The Honourable Dr. B. R. Ambedkar :** (a) The Government of India decided in 1942 to undertake a scheme for the compilation of cost of living index numbers on uniform lines. As the preparation of such index numbers was likely to take some time, it was felt that retail price data should be available as this might be of some value in wage disputes. Government, therefore, decided as an interim measure, after consultation with Provincial Governments to collect price data for certain selected centres in the country and to prepare index numbers based on such data.

(b) The items constituting the groups are not published. There is no particular reason except the desirability of limiting space in the Gazette.

(c) A statement regarding the number of items included in each group in the Retail Index Number for each centre is placed on the table of the House. The main criteria adopted for deciding upon the list were the consumption habits of the class of the community concerned and the availability of comparable price data.

*Statement showing the number of items included in the various groups for each centre for which retail price index numbers are being published in the Indian Labour Gazette.*

I—URBAN CENTRES

| | | Cereals | Pulses | Other Articles of food | All food | Fuel & Lighting | Clothing | Miscellaneous | Total |
|---|---|---|---|---|---|---|---|---|---|
| 1 | Ajmer ... | 7 | 5 | 15 | 27 | 3 | 9 | 2 | 11 |
| 2. | Hubli ... | 2 | 4 | 13 | 19 | 3 | 5 | 6 | 33 |
| 3. | Surat ... | 3 | 3 | 11 | 17 | 3 | 7 | 6 | 33 |
| 4. | Dohad ... | 3 | 3 | 12 | 18 | 3 | 6 | 4 | 31 |
| 5. | Akola ... | 3 | 3 | 14 | 20 | 4 | 8 | 6 | 38 |
| 6. | Delhi ... | 9 | 3 | 16 | 28 | 5 | 5 | 6 | 44 |
| 7. | Rawalpindi ... | 4 | 3 | 16 | 23 | 3 | 5 | 5 | 36 |
| 8. | Amritsar ... | 4 | 3 | 15 | 23 | 3 | 6 | 4 | 36 |
| 9. | Ludhiana ... | 4 | 3 | 17 | 24 | 3 | 6 | 4 | 37 |
| 10. | Sialkot ... | 4 | 3 | 15 | 22 | 3 | 5 | 4 | 34 |
| 11. | Lucknow ... | 9 | 3 | 10 | 22 | 3 | 9 | 7 | 41 |
| 12. | Agra ... | 9 | 3 | 10 | 22 | 3 | 9 | 7 | 41 |
| 13. | Bareilly ... | 9 | 3 | 10 | 22 | 3 | 9 | 7 | 41 |
| 14. | Gauhati } ... | 3 | 4 | 19 | 26 | 3 | 6 | 7 | 42 |
| 15. | Tinsukia } ... | | | | | | | | |
| 16. | Dehri-on-Sone ... | 5 | 3 | 11 | 19 | 4 | 3 | 6 | 32 |

| | Cere-als | Pulses | Other Articles of food | All food | Fuel & Light-ing | Cloth-ing* | Miscel-laneous | Total |
|---|---|---|---|---|---|---|---|---|
| 17. Patna ... | 5 | 3 | 12 | 20 | 4 | 4 | 6 | 34 |
| 18. Cutuck ... | 1 | 4 | 17 | 22 | 3 | 4 | 8 | 37 |
| 19. Berhampore ... | 3 | 2 | 19 | 24 | 3 | 3 | 5 | 35 |
| 20. Khewra ... | 4 | 3 | 16 | 23 | 3 | 5 | 4 | 35 |
| 21. Karachi ... | 4 | 2 | 16 | 22 | 4 | 4 | 2 | 32 |
| 22. Benares ... | 4 | 3 | 10 | 17 | 3 | 9 | 7 | 36 |
| 23. Meerut ... | 9 | 3 | 10 | 22 | 3 | 9 | 7 | 41 |
| 24. Howrah ... | | | | | | | | |
| 25. Budge-Budge ... | | | | | | | | |
| 26. Kankinara ... | | | | | | | | |
| 27. Narayanganj ... | | | | | | | | |
| 28. Serampore ... | 4 | 4 | 16 | 24 | 5 | 5 | 7 | 41 |
| 29. Gauripore ... | | | | | | | | |
| 30. Kancharapara ... | | | | | | | | |
| 31. Kharagpur ... | | | | | | | | |
| 32. Calcutta ... | | | | | | | | |
| 33. Raniganj ... | | | | | | | | |

* In the Indian Labour Gazette, it has already been stated that due to changes in clothing grades, it has not been found possible to work out the index numbers for the clothing group.

## II—RURAL CENTRES

| | Cere-Als | Pulses | Other Articles of food | All food | Fuel & Lighting | Cloth-ing | Miscel-laneous | Total |
|---|---|---|---|---|---|---|---|---|
| 1. Burma ... | 1 | 2 | 8 | 11 | 2 | 3 | 5 | 21 |
| 2. Maibang ... | 1 | 2 | 10 | 13 | 2 | 6 | 5 | 26 |
| 3. Rajapur ... | 1 | 2 | 14 | 17 | 3 | 6 | 5 | 31 |
| 4. Shankargarh ... | 7 | 3 | 8 | 18 | 2 | 3 | 4 | 27 |
| 5. Sonaili ... | 3 | 3 | 12 | 18 | 2 | 6 | 5 | 31 |
| 6. Multapi ... | 2 | 4 | 9 | 15 | 2 | 5 | 4 | 26 |
| 7. Nana ... | 4 | 2 | 13 | 19 | 3 | 5 | 3 | 30 |
| 8. Salamatpur ... | 3 | 4 | 12 | 19 | 2 | 4 | 3 | 28 |
| 9. Shujabad ... | 5 | 4 | 11 | 20 | 4 | 6 | 3 | 33 |
| 10. Gujarkhan ... | 2 | 4 | 12 | 18 | 3 | 6 | 2 | 29 |
| 11. Krishna ... | 2 | 2 | 14 | 18 | 2 | 6 | 4 | 30 |
| 12. Lakh ... | 2 | 3 | 10 | 15 | 2 | 5 | 3 | 25 |
| 13. Malur ... | 3 | 4 | 13 | 20 | 2 | 4 | 5 | 31 |
| 14. Muniguda ... | 2 | 3 | 13 | 18 | 2 | 4 | 4 | 28 |
| 15. Kudehi ... | 2 | 2 | 13 | 17 | 3 | 7 | 4 | 31 |

**Prof. N. G. Ranga :** Are figures being collected of the actual prices being paid by the working classes, or only the prices that are supposed to be scheduled to be paid in the retail shops ?

**The Honourable Dr. B. R. Ambedkar :** I think if my Honourable friend waits there will be an answer to the next question by Mr. Ayyangar in which you will find the information about family budget.

**Prof. N. G. Ranga :** What information have Government collected and kept in their possession of the prices which are actually prevailing in the blackmarket in which alone the ordinary working class people in towns are able to purchase most of their necessities ?

**The Honourable Dr. B. R. Ambedkar :** I do not think Government have any information on blackmarket prices.

**Prof. N. G. Ranga :** Will Government collect that information ?

**The Honourable Dr. B. R. Ambedkar :** That suggestion, I must say, does not commend itself to me.

**Mr. President :** Order, order. Next question.

# 423

## * Alternative Employment to Women Previously Working Underground in Mines

152. **Miss Maniben Kara :** Will the Honourable the Labour Member be pleased to state :

(a) how many women were employed underground in coal mines in India before the last day that the ban on the employment of women underground in mines was re-imposed ;

(b) how many of the women mentioned in (a) have been given alternative employment since the imposition of the ban on women working underground;

(c) the nature of alternative employment provided to them ?

(d) how their earnings in the new employment compare with their earnings while working underground ;

(e) apart from wages what the other concessions are that they have lost as a result of ceasing to work underground; and

(f) what steps Government, propose to take in order to compensate them for their loss of earnings and other concessions ?

**The Honourable Dr. B. R. Ambedkar :** (a) About 20,000.

(b) No exact figures are available but approximately 50 per cent of the women mentioned in (a) have been given alternative employment since the re-imposition of ban. Of the remaining 50 per cent. about

*Legislative Assembly Debates (Central), Vol. IV of 1946, 21st March 1946, p. 2716.

half have gone to their villages while some of the remainder are sitting down at colleries because they are refusing contract work e.g. coal loading ?

(c) Loading of coal on surface, loading and unloading of sand and removing of overburden in quarries.

(d) The earnings of women so employed are from ten to twelve annas per day (excluding half seer free rice and bonus of two annas for each woman) as against twelve annas to fourteen annas per day paid to underground workers.

(e) Women so employed have lost the concession of free supply of milk which was granted only by reason of working underground.

(f) Attention of the Honourable Member is invited to the answer given in reply to part (b) of starred question No. 466 on the 25th February 1946.

# 424

## * Amendment in the Rent Control Orders in Delhi

1239. **Pandit Thakur Das Bhargava :** Will the Honourable the Labour Member kindly state :

(a) whether it is a fact that prior to January, 1944, the Rent Control Orders in Delhi permitted a landlord to get a tenant ejected if the house was required for his own use ;

(b) whether it is a fact that the above mentioned orders were amended in January, 1944, and the revised order precluded landlords residing in Delhi from ejecting tenants even if the houses were required for their own use ; if so, the reasons for the amendment ;

(c) whether their attention has been drawn to a letter from a house-owner in the Hindustan Times of the 22nd December, 1945 ;

(d) whether Government propose to consider the advisability of restoring to landlords the right to eject a tenant in case they required their houses for their own use ; and

(e) if it is a fact that house situation has become easier than before

* Legislative Assembly Debates (Central), Vol. IV of 1946, 27th March 1946, p. 2964.

in Delhi and that Government have consequently decided to demolish temporary Government building constructed during the war?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes; a landlord could get a tenant ejected, under the New Delhi House Rent Control Order, 1939, only when the Rent Controller was satisfied that the house was reasonably and in good faith, required by the landlord.

(b) Yes ; the expressions 'reasonably and in good faith' occurring in the Old Clause of the New Delhi House Rent Control Order 1939 gave unscrupulous landlords an opportunity of forcing tenants to pay more than the controlled rents. It was also found necessary to debar landlords from evicting tenants of long standing (whose presence in Delhi was essential), especially when the landlords were already residing in Delhi. Consequently clause 11-A of the New Delhi House Rent Control Order, 1939, was enacted.

(c) Yes.

(d) No. Not till the housing position in Delhi improves.

(e) The answer to the first half of the question is in the negative.

Government propose to demolish buildings only when they are no longer required for any essential purpose, or where it is considered essential in the interests of the housing position itself that temporary structures should be replaced by permanent buildings.

**Mr. Manu Subedar :** May I enquire whether Government will look into the question: when a tenant rents out to a subtenant, even then do Government propose to leave the tenant secure in the possession of his house, even when the tenant is profiteering ?

**The Honourable Dr. B. R. Ambedkar :** I shall consider that question.

**Prof. N. G. Ranga :** We are not interested in the demolishing of these temporary Government buildings. Are these house owners or the Government themselves interested in their demolition ?

**The Honourable Dr. B. R. Ambedkar :** I did not follow the question.

**Prof. N. G. Ranga :** Part (e) of the question says, "If it is a fact that the house situation has become easier than before in Delhi and that Government have consequently decided to demolish temporary Government buildings constructed during the war ?"

**The Honourable Dr. B. R. Ambedkar :** I did not say that Government has decided. I said that the government will not demolish temporary buildings unless it is found that they are not required for essential purpose.

**Prof. N. G. Ranga :** Are Government considering the advisability of renting out these buildings to the local public who are in need of housing accommodation as soon as their official use is over ?

**The Honourable Dr. B. R. Ambedkar :** If they are not essential for the purposes of Government and if the public is prepared to take them on hire, Government will be pleased to consider that.

**Sir Mohammad Yamin Khan :** How long is this Rent Control Ordinance of June 1944 going to remain in force ?

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend knows that it will last as long as the emergency lasts.

**Mr. President**: Next question.

# 425

## * Abolition of Bricks Control Order in Delhi

1242. **Sri M. Ananthasayanam Ayyangar :** Will the Honourable the Labour Member please state :

(a) if his attention has been drawn to the news item in the Hindustan Times of the 3rd March, 1946, regarding revised brick prices ?

(b) if he is aware of the statement in the budget speech of the Honourable the Finance Member regarding the immediate necessity of putting up buildings as rapidly as possible for housing accommodation and the necessity of releasing all controlled materials in this regard ?

(c) Why the sale of bricks is still controlled, and why it is necessary that so long after the cessation of hostilities permits should be taken for purchase of bricks in Delhi; and

(d) if he proposes to consider the desirability of abolishing all controls in his Department before the end of this financial year, that is, 1st April, 1946, in view of the urgent necessity for additional

* Legislative Assembly Debates (Central), Vol. IV of 1946, 27th March 1946, p. 2967.

house accommodation for the vastly increased population of Delhi and New Delhi, if not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) Yes.

(c) and (d). Continuance of price control and distribution control was considered necessary in order to ensure that the price of bricks was maintained at a reasonable level and that the disposal of the bricks from the Government and private stocks was carried out in an orderly manner. The entire subject is, however, now under further consideration.

**Prof. N. G. Ranga :** Is not the Honourable Member responsible for the building of houses and all these things in the centrally administered areas, and if so, will he try to apply the same consideration to the other towns in the centrally administered areas also ?

**The Honourable Dr. B. R. Ambedkar :** I shall bear in mind what has been said by my Honourable friend.

**Mr. Manu Subedar** : In view of the fact that all control orders have been abolished in Bombay, will Government inquire why they could not be abolished all over India, and why particularly in the centrally administered areas the Honourable Member should not now abolish them?

**The Honourable Dr. B. R. Ambedkar :** I shall made inquiries.

# 426

## * Requisitioned Houses in Qarol Bagh, Delhi

1258. **Mr. Ahmed E. H. Jaffer**: (a) Will the Honourable the Labour Member please state if it is a fact that the undermentioned houses in Karol Bagh, Delhi which were requisitioned by Government for allotment to Government servants, have been lying vacant or unoccupied for a period varying from one to six months ?

| | | | |
|---|---|---|---|
| 1. | 15-A/39 | First Floor | I. |
| 2. | 15-A/9 | Ground Floor | I. |
| 3. | 15-A/9 | Ground Floor | II. |
| 4. | 6/73 | First Floor | III. |

* Legislative Assembly Debates (Central), Vol. IV of 1946, 27th March 1946, p. 2977.

| | | | |
|---|---|---|---|
| 5. | 6/73 | Ground Floor | I. |
| 6. | 24-25 | First Floor | |
| 7. | No. 19 | Birla Flat | |
| 8. | 53/7 | Ground Floor | I. |
| 9. | 15- A/2-3-4 | Ground Floor | I |
| 10. | Birla Building | Ground Floor | II. |
| 11. | Birla Building | Ground Floor | I |
| 12. | 6/75-76 | First Floor | VI |
| 13. | 642 | B.D. | |
| 14. | 25310 | M. C. | |
| 15. | 15-A/39 | Ground Floor | II |
| 16. | 15-A/39 | Ground Floor | I |
| 17. | 6/75-76 | First Floor | V |
| 18. | Ganesh Bhawan | ... | |
| 19. | 6/64 | Ground Floor | |

(b) Is it also a fact that most of such houses were successively allotted, but refused by various allottees, mostly because of lack of proper living conditions and privacy ?

**The Honourable Dr. B. R. Ambedkar :** (a) A statement showing the position of the requisitioned houses in question is placed on the table of the House.

(b) Some of these houses proved unpopular and were refused when offered and were thus lying vacant for some time as shown in the statement laid on the table of the House.

*Statement showing the position of the leased houses in question*

| Sr. No. | Name of the House | Date from which lying vacant | Remarks |
|---|---|---|---|
| 1 | 15-A/39 F.F. I | 26th June 1945 | It was offered to officials on 26lh June 1945, 15th August 1945, 12lh November 1945, 21st November 1945 and 31st January 1946 but was refused successively by all. It has been released from 8th March 1946. |
| 2 | 15-A/9 G.F. I | 14th January 1946 | The allotment made to the previous allottee was cancelled from 14th January 1946. It was re-allotted on 28th January 1946 and accepted on 7th February 1946. |
| 3 | 15-A/9 G.F. II | 15th November 1945 | The house was re-allotted to officials on 20th Nov. 1945, 21st Dec. 1945, 28th Jan. 1946 and 16th Feb. 1946 but was refused by all in turn. It has been re-allotted from 14th March 1946. |
| 4 | 6/73 F.F. II | September 1945 | The house was offered to different officials on 4th Oct. 1945, 26th Oct. 1945 and |

| Sr. No. | Name of the House | Date from which lying vacant | Remarks |
|---|---|---|---|
| | | | 4th Dec. 1945 but was refused by all. It was finally accepted on 3rd Jan. 1946. |
| 5 | 6/73 G. F. I | 5th February 1946 | The allottee was declared ineligible from getting Government accommodation and he vacated the house on 5th Feb. 1946. It was re-allotted on 22nd Feb. 1946. |
| 6 | 24/26 (Should be 22/6) | November 1945 | The house was offered to different officials on 19th Oct. 1945, 26th Nov. 1945, 21st Dec. 1945 and 28th Jan. 1946 but was refused by each allottee. It was finally accepted on 16th Feb. 1946 and has been occupied by the allottee. |
| 7 | No. 19 Birla Flat | January 1946 | Reserved for casual visitors. |
| 8 | 53/75 G.F. I | 23rd Dec. 1945 | Surrendered by the previous allottee on 23rd Dec. 1945. It was re-allotted on 28th Dec. 1945 and accepted on 3rd Jan. 1946. |
| 9 | 15-A/2, 3, 4 G.F. I | 7th Dec. 1945 | It was offered on 30th Jan. 1946 and 16th Feb. 1946 but was refused. It has been re-allotted from 14th March, 1946. |
| 10 | Birla Flat G. F. II (Represents Birla Flat No. 11) | 31st January 1946 | The house stands allotted to an Officer who is in occupation of flat No. 22 by mutual exchange. He has been asked to shift to his flat. |
| 11 | Birla Flat G. F. I (Represents Birla Flat No. 7) | 31st January 1946 | This flat was occupied by mutual exchange by the allottee of Hutment No. 164. He has been asked to vacate the Hutment and to go to his flat. |
| 12 | 6/75-76 F. F. VI | 20th January 1946 | The house was vacated by the previous allottee on 20th January 1946 due to resignation. It has been re-allotted from 4th March 1946. |
| 13 | B. D./642 | January 1946 | Vacated by the previous allottee in Jan. 1946. It has been recommended for release. |
| 14 | 25310-M.C. (should be 2531 M. C.) | 18th August 1945 | This house was offered to officials on 26th June 1945, 15th August 1945, 13lh Sept. 1945, 19th Oct. 1945,26lh Nov. 1945 and 21st Dec. 1945, but was refused by all in turn. It has been released from 15th March, 1946. |
| 15 | 15-A/39 G. F. II | 3rd July 1945 | Both these sets proved unpopular and were refused when offered. |
| 16 | 15-A/39 G.F. I | 9th Aug. 1944 | These sets were released from 8th March 1946. |
| 17 | Ganesh Bhawan (should be Ramesh Bhawan) | 28th Feb. 1946 | Fell vacant due to the allottee being declared ineligible for Government accommodation. The house has been realloted from 4th March, 1946. |
| 18 | 6/64 | 28th Feb. 1946 | The house has been allotted elsewhere from 4th March, 1946. |

# 427

## * Requisitioned Houses in Qarol Bagh, Delhi

1259. **Mr. Ahmed E. H. Jaffer :** (a) Will the Honourable the Labour Member please state if Government are aware that in most cases where the requisitioned houses in Karol Bagh, Delhi, were accepted by the allottees, they were sub-let by the respective allottees, on black-market rents to the general public who were driven to pay high rents on account of grave shortage of living accommodation in Delhi ?

(b) Are Government also aware that this practice of sub-letting is so prevalent that on an enquiry by the Estate Office, three flats out of four in house No. 6 / 73 in Karol Bagh, were found to be sub-let ?

(c) Is it a fact that most of the unoccupied houses in Karol bagh are being utilised by the local staff of the Central Public Works Department for their private ends ?

(d) In view of these facts, do Government propose to consider the advisability of terminating the lease of the houses referred to in part (a) of the preceding question to save them from black market transactions and misuse and making them available to the needy general public among whom many are Government employees on the waiting list for Government accommodation ?

**The Honourable Dr. B. R. Ambedkar :** (a) No.

(b) It is a fact that two flats out of the four in house No. 6/73 Karol Bagh were found to have been sub-let, but it does not follow from this one case, that sub-letting is widely prevalent.

(c) No.

(d) Government have already de-requisitioned a few houses in the Karol Bagh area, and have always under their examination the de-requisitioning of houses not required by them or which they are unable to utilise.

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946, p. 1259.

# 428

## * Strike in Indian School of Mines

1265. **Sri M. Ananthasayanam Ayyangar :** (a) Will the Honourable the Labour Member be pleased to state whether there has been a strike in the Indian School of Mines ?

(b) Has the strike ended ?

(c) Is it a fact that recently a deputation of the students waited upon the Honourable Member ?

(d) Is it a fact that the graduates of the Indian School of Mines are not permitted by the Coal Mines Regulations to hold any responsible position in coal mines ?

(e) Will Government consider the advisability of amending the Coal Mines Regulation so as to make the diploma of the Indian School of Mines equivalent to the Second Class Mine Manager's Certificate of competency subject to the holder obtaining practical experience in coal mines for a further period of one year ? If not, why not ?

(f) What steps do government propose to take to remedy the grievances of the students ?

**The Honourable Dr. B. R. Ambedkar:** (a) Yes.

(b) Yes.

(c) Yes.

(d) Yes. The certificate or diploma holders of the Indian School of Mines must secure a Second Class or First Class Colliery manager's certificate before they can be appointed to a responsible position in a coal mine.

(e) and (f). The matter is under consideration. Government are considering the extent to which the regulations under the Mines Act can be altered to give some weightage under those Regulations to the Diploma of the School of mines, but they do not consider that it is possible to treat that diploma as a substitute for the Second Class mine manager's certificate granted under those regulations.

**Prof. N. G. Ranga :** When Government are responsible for both certificates as well as diploma, what is it that prevents the Government of India to see that diploma holders are given training which will be

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946, p. 2981.

considered equivalent to the training or efficiency which certificate holders are expected to possess ?

**The Honourable Dr. B. R. Ambedkar :** I have discovered in my examination of the subject that there are certain anomalies and I am taking steps to rectify them.

# 429

## * United States Army Chapel, New Delhi

1268. **Sri S. T. Adityan :** (a) Will the Honourable the Labour Member please state whether it is a fact that the United States Army Chapel, New Delhi, is proposed to be converted for secular purposes ?

(b) What are the names of applicants who have offered to purchase this Chapel ?

(c) Are Government aware that it would the religious susceptibilities of a large section of Christians if a Church is converted for any other use except religious worship in a Christian form ?

**The Honourable Dr. B. R. Ambedkar :** (a) The matter is under consideration.

(b) The Government have not received any offer for the purchase of this Chapel.

(c) It is understood that the Chapel has not been consecrated and its use for purpose other than religious worship in a Christian form should not therefore wound the religious susceptibilities of a large section of Christians.

# 430

## @ Thorium and Uranium Deposits in India

1276. **Diwan Chaman Lall :** Will the Honourable the Labour Member be pleased to state whether there are, and if so, to what extent, Thorium and Uranium deposits anywhere in India ? What steps are being taken to exploit the existing resources ?

**The Honourable Dr. B. R. Ambedkar :** No deposit of economic value has yet been found.

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* Legislative Assembly Debates (Central), Vol. IV of 1946, 27th March 1946, p. 2985.
@*Ibid.,* p. 2987.

The mineral monazite (one of the Thorium bearing minerals) does occur along the southern coast line of India notably on the Travancore coast.

# 431

## * Import of Typewriters

1279. **Mr. Manu Subedar** : (a) Will the Honourable the Labour Member please slate how many typewriting machines have been imported in India since the 1st of April, 1940 ?

(b) How many of these have been released for the Civil population and in which Provinces, and by what test ?

(c) Is it a fact that there is a great shortage in India of these machines and that business firms are put to very great incovenicnce ?

(d) What steps have Government taken in order to increase the availability of these machines ?

(e) Did this constitute one of the articles, about which the Hydari Mission negotiated ?

(f) What is the general position about the availability of typewriting machines, and what is the forecast of Government during the next twelve months ?

**The Honourable Dr. B. R. Ambedkar :** (a) About 76,000 up to December 1945.

(b) From April 1940 to October 1943—information not available.

From October 1943 to the end of 1945—about 2950.

The test by which releases were made was one of essentiality. These releases were made to commercial and industrial concerns, public utilities, educational institutions, professional people and businessmen and preference was given to war industries or agencies engaged in work connected with the war effort.

(c) Yes, there has been a great shortage of typewriters in India.

(d) Since the end of the war, typewriters for public use are being imported through commercial chanels as in pre-war days. Government have impressed upon the various importing firms the desirability of importing typewriters in as large a number as possible. The firms have been invited to come up for Government assistance, if necessary, after

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946, p. 2988.

ascertaining the supplying capacity of their principals in America. Import licences for large quantities of typewriters have been issued. For the period July to December 1945 alone, licences for import from U.S.A. were issued for 11,717 typewriters. The acute shortage of typewriters in India was also brought to the notice of the American authorities in August last and they were requested to accord high priority to the releases of at least 15,000 typewriters for shipment to India by the end of June 1946.

(e) No.

(f) Only 4,400 typewriters (excluding Hermes "Baby" typewriters from Switzerland which are unsuitable for regular office work) were imported into this country during the six months from September 1945 to February 1946 against India's minimum yearly requirements of 15,500 machines. The present position is, therefore, unsatisfactory but some improvement is expected during the next twelve months.

# 432

## * Contract Works given by Horticultural Division Central P. W. D., New Delhi

1381. **Mr. Ahmed E. H. Jaffer :** Will the Honourable the Labour Member kindly place on the table of the House a comparative statement showing the amount of contract works given by (i) tenders and (ii) work orders, separately, to Muslims, Hindus and Scheduled Caste Contractors in the Horticultural Division of the Central P. W. D., New Delhi, during the period from 1st November, 1943, to the 28th February 1946, by the present Superintendent, Horticultural Operations, New Delhi?

**The Honourable Dr. B. R. Ambedkar :** The information asked for is not readily available and the time and labour involved in collecting it would be incommensurate with the value of the result.

**Mr. Ahmed E. H. Jaffer :** What are the reasons why the information is not readily available ?

**The Honourable Dr. B. R. Ambedkar :** It is not available in the form in which my Honourable friend wants it.

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 19-16, p. 3133.

**Prof. N. G. Ranga :** Is any effort being made to give additional opportunities for scheduled caste contractors to have their share ?

**The Honourable Dr. B. R. Ambedkar :** They can get their share in accordance with the rules laid down.

**Prof. N. G. Ranga :** There are only very few from the scheduled castes, because they are so poor.

# 433

## * Muslim Horticultural Subordinates in Central P. W. D.

1382. **Mr. Ahmed E. H. Jaffer** : (a) Will the Honourable the Labour Member kindly state if it is a fact that three B. Sc. Muslims were appointed in the Central P.W.D. as Horticultural Subordinates on the 28th February 1945, 19th March 1945, and 23rd May 1945, but they were not given charge of Sections till the 28th November 1945 ?

(b) On what duties were they put during the intervening period ?

(c) If they were not required for specific work expected of them, why has public money to the amount of Rs. 5,000 been wasted in this way, who is responsible for that and what action do Government propose to take against the officer concerned ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) and (c) As the men were fresh from college and had no practical experience, they were given preliminary training as probationers before being placed in formal charge of sections.

# 434

## @ Scales of Pay and Increments to Chowdhries and Assistant Chowdhries in Horticulture Division

1383. **Mr. Ahmed E. H. Jaffer :** Will the honourable the Labour Member kindly state the scales of pay and increments allowed to

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946, p. 3133.
@ *Ibid.,* p. 3134.

Chowdhries and Assistant Chowdhries in the Horticulture Division ?

**The Honourable Dr. B. R. Ambedkar :** The scales of pay with rates of increments are as follows :

Chowdhries—Rs. 20—1—35—2—55 (for old entrants).

Rs. 25—1—45 (for new entrants).

Assistant Chowdhries—Rs. 20—1/2—30 (for old and new entrants).

**Prof. N. G. Ranga :** What is the particular post of a Chowdhri ?

**The Honourable Dr. B. R. Ambedkar :** A sort of head mali.

**Mr. Manu Subedar :** Do Government expect a Chowdhri to live on Rs. 20 a month in the present day living conditions ?

**The Honourable Dr. B. R. Ambedkar :** They get dearness allowance also.

**Mr. Manu Subedar :** What do they get ? Rs. 14 or Rs. 8 ? How much ?

**The Honourable Dr. B. R. Ambedkar :** I have not got the information with me.

**Mr. Manu Subedar :** Will the Government go into the question as to whether industrial class Government employees can really exist on the pay they are getting ?

**Prof. N. G. Ranga :** How much are the malis paid ?

**The Honourable Dr. B. R. Ambedkar:** I want notice.

# 435

## * Appointments Made by Superintendent Horticultural Operations, Central P. W. D.

384. **Mr. Ahmed E. H. Jaffer :** Will the Honourable the Labour Member kindly state, communitywise, viz., Hindus, Muslims, Other Minority Communities and Scheduled Castes, the number of persons appointed by the present Superintendent, Horticultural Operations, Central P. W. D., New Delhi, from the 1st November, 1943, to the 28th February, 1946, as clerks, chowdhries, assistant chowdhries, lorry drivers, fitters, time-keepers and mechanies ?

* Legislative Assembly Debates (Central). Vol. IV of 1946,29th March 1946, p. 3135.

**The Honourable Dr. B. R. Ambedkar :** A statement is laid on the table.

*Statement showing the number of persons appointed by the Superintendent, Horticultural Operations, New Delhi from 1st November 1943 to 28th February 1946*

| | | Hindus | Muslims | Schedule Castes | Other Minority Community |
|---|---|---|---|---|---|
| Clerks | ... | 9 | 2 | | 1 |
| Chowdhries | ... | ... | 1 | ... | ... |
| Assistant Chowdhries | ... | 1 | ... | ... | ... |
| Lorry Drivers | ... | 2 | ... | ... | ... |
| Fitters | ... | 2 | 1 | ... | ... |
| Time-Keepers | ... | 1 | 1 | ... | ... |
| Mechanies | ... | 1 | ... | ... | ... |

# 436

## * Muslim Officers in Labour Department

1385. **Mr. Ahmed E. H. Jaffer :** (a) Will the Honourable the Labour Member please state if it is a fact that in the Labour Department the Secretary, Joint Secretary and the Deputy Secretary are all Hindus ? Does the Honourable Member propose to appoint a Muslim Officer in charge of the staff in that Department ? If not, why not ?

(b) How many subordinates in the Central Public Works Department were promoted as Sub-Divisional Officers during the last five years ? Are there any Muslims ? If so, how many, and in what proportion ?

**The Honourable Dr. B. R. Ambedkar :** (a) No. The Secretary is a European and there are two Muslims, one ex-officio Joint Secretary and one Deputy Secretary. These two officers also deal with staff questions. The latter part of the question does not arise.

(b) During the last five years 385 subordinates were promoted as S.D.Os..... out of which 56 were Muslims. This works out to 14.5 per cent.

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946, p. 3135.

**Prof. N. G. Ranga :** When will the Honourable Member consider the appointment of an Indian Secretary to this Department, in view of the fact that for a number of years past, there has been no Indian Secretary in this Department ?

**The Honourable Dr. B. R. Ambedkar :** This is a matter which rests with the Selection Committee.

**Prof. N. G. Ranga :** Who selects the Secretaries of Departments ?

**The Honourable Dr. B. R. Ambedkar:** I want notice.

**Prof. N. G. Ranga :** Is there a selection committee which deals with this question ?

**The Honourable Dr. B. R. Ambedkar :** There is a committee to which the matter must be referred and the selection is made only from an approved list.

**Mr. Ahmed E. H. Jaffer :** Does it mean that the Honourable Member has no hand in the appointment ?

**The Honourable Dr. B. R. Ambedkar :** Not until there is a vacancy, I am sure.

# 437

## * Seniority of Certain Officers for Purposes of Allotment of Government Residences

1389. **Sri M. Ananthasayanam Ayyangar :** (a) Will the Honourable the Labour member be pleased to state if it is a fact that during the period of emergency certain offices of the Central Government (Secretariat and Attached Offices) were moved from Delhi/Simla to outstations, for want of office accommodation ?

(b) Is it a fact that the staff on return with the offices have not been allowed to count their previous service for purposes of entitlement to Government quarters on the ground that they moved to a station other than Delhi/Simla and that in their cases their seniority for entitlement to accommodation was reckoned from the date of subsequent arrival at Delhi ?

(c) Is it a fact that the Secretariat Staff working at Calcutta have been allowed to count offices in regard to allotment of residential accommodation been made ?

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th Match 1946, p. 3140.

(d) If so why has this sort of discrimination between the staff of the secretariat and attached Offices in regard to allotment of residential accommodation been made ?

(e) Are Government aware that these people have been penalised for no fault of their own in regard to allotment of quarters, as they had to move under orders of the labour Department in the interest of the State ?

(f) Do Government propose to consider the desirability of restoring the suspended lines in respect of these individuals and allot them accommodation according to their date of joining offices at Delhi / Simla ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) The correct position is as follows :

Some of the staff were allowed to count their previous service if the period of absence from Delhi was not more than one year and if they hold liens on Government residences in Delhi. This qualifying period was subsequently reduced to a maximum of six months.

(c) Yes, but only the staff posted in a Secretariat Department at Calcutta or transferred from a Secretariat Department in Delhi/Simla to a Secretariat Department in Calcutta prior to April 1st, 1945.

(d) There has been no discrimination between the staff of the Secretariat and attached offices except in the case of Calcutta where a Branch Secretariat of a Government of India Department was located and transfers between the Headquarters and the Branch Secretariat were frequent. With the issue of the revised rules, this concession has been withdrawn w.e.f. 1st April, 1945 and persons transferred to a Secretariat Department at Calcutta after this date are not allowed to count their previous service for allotment in Delhi.

(e) Government are aware that some officers have been prejudicially affected by the Rules, but this is inevitable in the working of Rules designed formally to secure the efficiency of administration by reducing movements to a minimum.

(f) Government do not propose to alter the rules in this respect.

# 438

## * Supply of Material to Sardar Sobha Singh to build Quarters in New Delhi

1390. **Sri M. Ananthasayanam Ayyangar :** (a) Will the Honourable the Labour Member please stale whether it is a fact that Sardar Sobha Singh was given material by Government to build quarters in New Delhi ?

(b) What is the cost of the material supplied, and under what arrangement ?

(c) How many flats has he built ? What is the rent of each flat, how many of these flats are occupied and how many are empty ?

(d) Are Government granting any subsidy ? If so, in what manner and where it is granted to the said Sardar Sobha Singh ?

**The Honourable Dr. B. R. Ambedkar :** (a) I presume that the Honourable Member refers to the residential flats on the junction of Cornwallis Road and Humayun Road, New Delhi, built by S. B. Sir Sobha Singh. If so, the reply is in the affirmative.

(b) The cost of material supplied is about Rs. l½ lakhs. The contractor is to bear the entire cost of the material supplied to him.

(c) The number of flats so far constructed is 72. There are two types of flats ? A two-bed-room flat and a single-bed-room flat. The rent of the former has been provisionally fixed at Rs. 220 p.m. and of the latter at Rs. 175 p.m. Provisional rent has been fixed as complete information about the cost of construction has not been supplied by the landlord. Out of the 72 flats, Government have taken over 65 flats of which 59 are already occupied and 6 have been allotted to officers on the waiting list.

(d) No.

**Prof. N. G. Ranga :** Why have Government a soft corner for this prince of contractors Sardar Bahadur Sir Sobha Singh ?

**The Honourable Dr. B. R. Ambedkar :** I do not see any soft corner here.

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946. p. 3141.

**Prof. N. G. Ranga :** Is it not a fact that they have been favouring him in preference to so many other contractors ?

**The Honourable Dr. B. R. Ambedkar :** Not at all, Sir.

# 439

## * Supply of Essentials and Other Facilities to Workers in Mica Mines at Hazaribagh

1409. **Sjt. Seth Damodar Swroop :** Will the Honourable the Labour Member please state :

(a) if Government are aware that there is no proper arrangement of water for the workers in the Mica mines at Hazaribagh and that no medical aid is available for them in spite of the fact that the area is a well-known epidemic place;

(b) if Government are aware that though the cost of living has increased from six to nine times, no dearness or any such allowance is being paid to the workers and that there is no proper arrangement for sale of rice and other foodgrains at control price at a time when foodgrains have almost disappeared from the market; and

(c) whether Government are aware that the Sub-Divisional Officer of the place has ordered the sale of rice at the rate of two seers and four chataks per rupee while the control price is three seers and eight chataks per rupee ?

**The Honourable Dr. B. R. Ambedkar :** (a) Water supply arrangements are not satisfactory and the medical aid now given is not adequate and there is scope for improvement which the Government of India hope to undertake shortly by means of Legislation.

(b) So far as Government is aware, in some cases wages have been increased to include the dearness allowance while some important concerns are paying dearness allowance in addition to wages.

Proper arrangement for sale of rice and other foodgrains at controlled price is a matter for the Provincial Government, and I would suggest the Honourable Member takes up the matter with the Provincial Government.

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946, p. 3157.

(c) Here again the matter is for local authorities, and Provincial Government.

# 440

## * Grievances of Workers in Mica Mines at Hazaribagh

1410. **Sjt. Seth Damodar Swroop**: Will the Honourable the Labour Member please state whether Government are aware that the money paid by the Joint Mica Mission was never distributed amongst the workers in the Mica Mines at Hazaribagh ?

(b) Are Government aware that the factory rules and regulations are mostly disregarded by the Mica Mines Companies and that the highly objectionable and illegal practice of deducting one anna per rupee from the workers' wages in the name of Dastoori is openly prevalent there ?

(c) Are Government aware that because of the grievances referred to above the Mica Mazdoor Sangh has been forced to give a clear notice of strike ; if so, what steps Government are intending to take to satisfy the workers' demands and avert the danger of a strike ?

**The Honourable Dr. B. R. Ambedkar :** (a) It is not clear what the Honourable Member is referring to. If the reference is to the additional cost allowance on the price which the Joint Mica Mission was paying to the suppliers; I may inform the Honourable Member that the distribution of the allowance was purely a matter between the employers and the workers.

(b) The Factories Act and the Payment of Wages Act do not apply to Mica Factories. The prevalence of the illegal practice referred to by the Honourable Member has been brought to Government's notice. The practice will, I think disappear if the Government's proposal to bring mica under Central Control materialises and the Mica Enquiry Committee's recommendations in this respect are implemented.

(c) Yes. The matter is under investigation.

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946, p. 3157.

# 441

## * Ban on Giving Works to Contractors Related to Employers of Central P.W.D.

**1411. Babu Ram Narayan Singh** : (a) Will the Honourable the Labour Member please state the circumstances which led to the issue of the Labour Department Circular Memo No. M.S. 21, dated the 14th November, 1944, prohibiting the award of works to contractors whose relation are working in officers, etc., under the Central Public Works Department ?

(b) Is he aware that this circular has caused great discontent and hardship to many highly reputed and old-established contractors ?

(c) Do similar orders exist in any other Department of Government ? If so, will he place a copy of such orders on the table of the House ?

(d) Was Legal Department of the Government of India consulted before the Labour Department issued these orders ? If so, what was their opinion ?

(e) Cannot the purpose of the orders be served if a relation of a contractor who happens to work in the same Division is transferred to some other Division or other station ? If not, how ?

(f) Will he please consider the advisability of cancelling these orders ? If not, what are the reasons ?

**The Honourable Dr. B. R. Ambedkar** : (a), (b), (c), (e) and (f) The Honourable Member's attention is invited to the reply given to starred question No. 1143, on 21st March, 1946;

(d) No. It is purely an administrative matter.

# 442

## @ Revision of Allotment Rules of Government Accommodation

**1412. Babu Ram Narayan Singh** : (a) Will the Honourable the Labour Member please state when the present allotment rules regarding

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946, p. 3158.
@ *Ibid.*

allotment of residences in New Delhi during the war are to be revised so as to provide for change of residences within the same class or group as was permissible under the former allotment rules, since the war is now over?

(b) Is he aware that some of the allotees who have not been fortunate to get quarters according to their choice are, much to their dissatisfaction, forced to continue in their present quarters ?

(c) Is he also aware of the fact that under the existing rules, senior officers moving down from Simla have been at a disadvantage as compared with the junior officers stationed here in securing allotment of quarters ?

**The Honourable Dr. B. R. Ambedkar :** (a) The question of the desirability of the revision of the present allotment rules will be taken up shortly, when the question of making provision in the rules for change of residences will also be examined.

(b) That is a matter of opinion.

(c) Yes, in a few cases senior officers have been at a disadvantage but that is no sufficient reason for disturbing a large number of officers who are already in occupation of these quarters.

# 443

## * Loss of Revenue due to Allotment of Lower Class Accommodation to Higher Paid Servants

1413. **Babu Ram Narayan Singh :** (a) Will the Honourable the Labour Member please state the number of officers residing in lower type of clerks quarters in New Delhi but who are entitled to the allotment of (i) bungalows reserved for officers drawing Rs. 600 per mensem or more, (ii) 'A' and (iii) 'B' class quarters intended for officers drawing less than Rs. 600 per mensem ?

(b) Is he aware of the fact that Government are losing a good amount in the shape of rent by not providing these officers with the class of accommodation to which they are eligible or even lower than that ?

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946, p. 3159.

(c) What steps does he propose to take to avoid this loss of Government revenue, and are there any proposals to build more quarters of the higher class ?

**The Honourable Dr. B. R. Ambedkar :** (a) (i) 98, (ii) 57, (iii) 138.

(b) Government are not losing. Officers occupying lower type of quarters are paying the maximum rent and no quarters are lying vacant.

(c) Part I—Does not arise.

Part II.—The matter is under consideration as part of the general proposal, for the provision of more residential accommodation for officers.

# 444

## * Supply of Unfiltered Water in Quarters in D.I.Z. and Minto Road Area in New Delhi

1415. **Babu Ram Narayan Singh :** (a) Will the Honourable the Labour Member please state whether there has been any proposal for the installation of pipes for the supply of unfiltered water in the courtyards of the Orthodox quarters in the D.I.Z. and Minto Road areas in New Delhi ?

(b) Is he aware of the fact that gallons of filtered water are being wasted every day in every quarters in the washing of floor, W.C., watering of flowers, plants or vegetables and in the sprinkling of water on the khus ki tatties during the hot weather?

(c) In view of the approaching hot weather will he please consider advisability of installing, the unfiltered water supply in the quarters, in the wider interest of service and economy ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) No. A bend and a gland cock are provided on the hydrants of unfiltered water at convenient places near these quarters at the beginning of every summer season to enable the occupants to draw unfiltered water and I do not think that the consumption of filtered water for these purposes during the remaining part of the year is excessive.

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946, p. 3159.

(c) No. The Government have already considered this suggestion very carefully in the past and dropped it mainly on account of the excessive expenditure involved.

# 445

## * Non-Promotion of Certain Qualified Executive Engineers, etc., Working as Sub-Divisional Officers and Overseers

1416. **Babu Ram Narayan Singh :** (a) Will the Honourable the Labour Member please state whether he is aware that there is a shortage of Engineers for filling up the posts of Executive Engineers and Superintending Engineers in the Central Public Works Department both in the Buildings and Roads and in the Electrical Branches ?

(b) Is he aware that there are many foreign qualified and experienced Engineers working as Sub-Divisional Officers and even overseers who are not being promoted to hold Divisional charge or higher because they are yet junior to unqualified subordinate Sub-Divisional Officers and others ?

(c) Is he also aware that Government are sending students for overseas studies to make available foreign qualified hands to fill up higher appointments ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) There are some foreign qualified Engineers in the Central Public Works Department who have not yet been promoted to Divisional or higher charges, because they are either still junior to other qualified Engineers in the Department or are unfit for such promotion.

(c) Yes.

# 446

## @ Non-Promotion of Certain Qualified Executive Engineers, etc., Working as Sub-Divisional Officers and Overseers

1417. **Babu Ram Narayan Singh :** (a) Will the Honourable the Labour Member please place on the table of the House a list of foreign

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946, p. 3160.

@ *Ibid.,* p. 3160.

qualified and experienced Sub-Division Officers with full qualifications and total experience and length of service of each and their respective dale of appointment in the Central Public Works Department ?

(b) What is the number of officers appointed directly as Executive Engineers or Superintending Engineers since 1940 ?

(c) While making appointments mentioned in part (b) were the cases of each of the individuals mentioned in reply to part (a) considered for such appointments ? If not, what are the reasons ?

**The Honourable Dr. B. R. Ambedkar :** (a) A statement is laid on the table.

(b) Superintending Engineers—Nil.

Executive and Electrical Engineers—28,

(c) With the exception of those mentioned below, the cases of all the others were duly considered.

| | | |
|---|---|---|
| (1) | Mr. B. S. Krishnaswami | He is a temporary Subordinate, while all the others promoted as Executive Engineers are either permanent Subordinates or gazetted temporary engineers. |
| (2) | Messrs. A. K. Sen and Nasir Hussain. | Their cases have not yet come up for consideration as they are not sufficiently high up in the seniority list, all those so far promoted as Electrical Engineers being senior to them. |

(d) No such undertaking can be given, as the officers mentioned in the reply to part (a) are either inexperienced or are unfit for Dvisional charge.

List of Foreign Qualified Sub-Divisional Officers in the Central Public Works Department.

| Sr. No. | Name | Date of appointment in Central P.W.D. | Qualification | Previous experience, if any |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
| | | I.—ENGINEERING SIDE | | |
| 1. | Mr. N. N. Mehla | 17-9-1935 | B.A., B.Sc. (Eng.) Sheffield A.M.I.E | ... |

| Sr. No. | Name | Date of appointment in Central P.W.D. | Qualification | Previous experience, if any |
|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 |
| 2. | Mr. Gurbachan Singh | 5-3-1942 | B.Sc. (Civil) Edinburgh. | 15 months' apprentice-ship in Central Public Works Deptt. 12 years as Superintendent, P.W.D. Kheotri State. |
| 3. | Mr. R. R, Tomar | 18-5-1942 | Diploma Holder of Bettersca Polytechnic. London. | ... |
| 4. | Mr. B. S. Krishna- swami. | 13-6-1942 | B.Sc. (Eng.) Rangoon (Burma). | ... |
| 5. | Mr. S. V. Subbarao | 20-7-1942 | B.A., B.Sc. (Hons.) Civil Engineering, (Edin.). | 1 years' Previous experience. |
| 6. | Mr. A. K. Das | 1-1-1943 | B.Sc., Civil Engineering, (Edin.). | ... |
| 7. | Mr. M. Rahman | 19-4-1943 | B.Sc., (Delhi); B.Sc. (Civil), Durham. | Has had some experience with a firm in England. |
| 8. | Mr. Abdul Ghafar | 11-2-1942 | B.Sc, Civil Engineering (Edin.). | ... |
| 9. | Mr. Mohd. Shaffi | 15-3-1944 | C. E. (Bristol) | ... |
| 10. | Mr. Narinjan Singh Bisarkhi | 4-4-1944 | B.Sc. (Civil), Glasgow (Edin.). | 15 years' experience in M. E. S., etc. |
| 11. | Mr. S. A. Hakim | 30-8-1944 | Casual Overseer; C. E. (Shsffield), A. M. I. E. (Ind.), C. I. S. E. (London) | 15 years' in Punjab P. W. D. and 8 years' District Board Service. |
| | | **II—ELECTRICAL SIDE** | | |
| 12. | Mr. B. K. Mazumdar | 4-5-1942 | Diploma in Mech. & Elec. Engineering from Faraday House, Electrical Engineering College, London. | Served for 2 years as Apprentice Engineer to Messrs. Crossley Bros., Ltd., Manchester and Southern Elec. Buildings, London. 3 years' term with the Calcutta Supply Corporation. |
| 13. | Mr. M. N. Dutt | 23-9-1942 | B.Sc. (Glasgow) | Has had some previous experience. Details not available. |
| 14. | Mr. A. K. Sen | 13-3-1943 | —Do— | |
| 15. | Mr. Nasir Hussain. | 1-5-1945 | B.Sc. AMIEE (London). | |

# 447

## * Terms of Appointment and Conditions of Service of Ministerial Staff Appointed by Superintendent Viceregal Estates

1419. **Sardar Mangal Singh :** Will the Honourable the Labour Member please place on the table of the House a sample copy of the terms of appointment and conditions of service offered to the ministerial staff appointed directly by the Superintendent, Viceregal Estates, for specific duty in Simla and or Delhi prior to the 14th July, 1936 ?

**The Honourable Dr. B. R. Ambedkar :** No particular form was prescribed for sending out offers of appointment to the staff. A copy of one of the appointment letters issued during this period is laid on the table.

Copy of letter No. 1031-M, dated the 25th February 1920 from the Nukutart Secretary to His Excellency the Viceroy, Delhi to the Superintendent, Viceregal Estates.

Your letter No. 279-M, dated the 20th February 1920.

I sanction the appointment on probation for 6 months of Lala Dewan Chand as Store Keeper, Viceregal Estates, Simla, on Rs. 50-5-70, with effect from the 1st January 1920 vice S. Amir Chand resigned and also authorise the recovery from him of Rs. 350 of his security deposit at Rs. 10 a month.

The agreement bond is returned herewith.

# 448

## @ Revision of Allotment Rules of Government Residences

1420. **Sardar Mangal Singh :** (a) Will the Honourable the Labour Member please state whether it is a fact that an officer who is transferred from Delhi to Simla or a Secretariat Department at Calcutta after the 1st April 1945, on re-transfer to Delhi, loses the benefit of his previous service, and has to cam his seniority afresh for the purpose of allotment of quarters ?

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* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946, p. 3162.

@ *Ibid. p.* 3163.

(b) What object has been achieved by not giving to such officials, seniority from the original date of qualifying posting *vis-a-vis* those who have remained on duly in Delhi, when transfers are ordered in the interest of public service?

(c) As the situation with regard to residential accommodation is acute, and the persons affected are those who have put in quite a number of years in Government service and have large families, does the Honourable Member propose to examine the necessity of rescinding this decision ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) The objection aimed at was to give relief to relatively junior people whose stay in Delhi had been continuous and who had suffered more from the rigours of the Delhi housing conditions than offices stationed in Simla or Delhi.

(c) The Rule will be re-examined when the general revision of the Allotment Rules is undertaken.

# 449

## * Permission to Build more Sugar Factories in Certain Canal Irrigated Deccan Area of Bombay Province

1421. **Sir. B. S. Hiray :** Will the Honourable the Labour Member be pleased to state :

(a) whether it is a fact that canals in the Deccan area of the Bombay Province were constructed for protective purposes ;

(b) whether it is a fact that the same purpose is served, if not, whether Government propose to extend the areas under Sugar Factories for sugar cane crop ;

(c) how many acres of land are irrigated by Canal water in this area, and how many of it are utilised by Sugar Factories for their purposes ; and

(d) whether Government propose to allow the construction of more Sugar Factories in this area ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** The information has been called for from the Government of Bombay and will be laid on the table of the House in due course.

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946, p. 3163.

# 450

## * Desirability of Extending Concessions Enjoyed by Staff of Viceregal Estates, Simla, to Staff of Simla Central Division of Central P.W.D.

**165. Sardar Mangal Singh** : With reference to the reply to part (b) of unstarred question No. 136, answered on the 9th April, 1945, regarding the desirability of extending to the ministerial and inferior staff of the Simla Central Division, the same concessions as are enjoyed by such staff of the Viceregal Estates, Simla, will the Honourable the Labour Member please state whether any decision has so far been arrived at ? If so, will he please place a copy of the orders issued on the subject on the table of the House ?

**The Honourable Dr. B. R. Ambedkar :** A copy of the orders embodying the final decision arrived at in the case is laid on the table.

Copy of letter No. E-6, dated the 6th December 1945 from the Assistant Secretary to the Government of India, Department of Labour, New Delhi, to the Additional Chief Engineer, Central Public Works Department, Western Zone, New Delhi.

*Subject*.—Grant of compensatory allowances to the staff of the Simla Central Division and of the Rent Control Office of the Central Public Works Department at Simla.

Reference your letter No. 01171-E, dated 7th June, 1944. The Governor-General in Council sanctions the grant of Compensatory allowances to the non-gazetted staff of the Simla Central Division and of the Rent Control Office of the Central Public Works Department at Simla at the rates shown below :—

(a) Non-gazetted Ministerial and Technical staff, other than inferior servants—15 per cent of pay subject to a minimum of Rs. 15 (fifteen) and maximum of Rs. 35 (thirty-five) per mensem.

(b) Inferior Staff—Rs. 2 (two) per mensem fixed.

2. These orders will have retrospective effect from the 1st July, 1945.

* Legislative Assembly Debates (Central), Vol. IV of 1946, 29th March 1946. p. 3165.

# 451

## *Damodar Valley Development Scheme

1503. **Babu Ram Narayan Singh :** Will the Honourable the Labour Member please state:

(a) the present stage of the Damodar Valley Development Scheme;

(b) if the preliminary survey is complete;

(c) the total amount of cultivated land acquired and to be acquired in all the districts concerned ;

(d) the number of villages in all the districts to be affected;

(e) the number of people (i) who will be deprived of their homes ;

(ii) who will be deprived of their lands, and (iii) who will be deprived of both their homes and lands ;

(f) if there is any scheme for the rehabilitation of the people to be ejected;

(g) if he is aware of the feelings of the people of all the localities to be affected and also of the resolution of the Bihar Provincial Congress Working Committee on the scheme; and

(h) if he has considered the desirability or otherwise of postponing the working of the scheme till popular Governments begin functioning in Provinces and at the Centre ?

**The Honourable Dr. B.R. Ambedkar** : (a) A premilinary investigation is in progress.

(b) No.

(c), (d) and (e). Detailed information on these points is now being collected.

(f) No scheme has yet been finally drawn up but the matter is under the active consideration of Government and I can asure the Honourable Member that Government will keep prominently in mind the necessity of adequate rehabilitation of those dispossessed.

(g) Government have seen some press communications on this subject.

(h) Only preliminary investigations are now carried out and Government do not consider it desirable to postpone them or such action as may appear necessary on a consideration of them.

*Legislative Assembly Debates (Central), Vol. V of 1946, 3rd April 1946, p. 3422.

**Babu Ram Narayan Singh :** What will be the process of the rehabilitation of the people ?

**The Honourable Dr. B.R. Ambedkar :** I am unable to make any definite statement.

**Prof. N.G. Ranga :** Will not the Honourable Member keep in mind the necessity of all those people, especially the peasants who will be ejected, for the grant of alternate pieces of land, where they can carry on their agriculture ?

**The Honourable Dr. B.R. Ambedkar :** I certainly have that in mind.

**Babu Ram Narayan Singh :** May I know whether two or three years' notice will be given to these people who will have to leave their homes in the acquired area, so that they may build their houses in the new places and occupy them when they have to vacate their original homes ?

**The Honourable Dr. B.R. Ambedkar :** I cannot commit myself to any particular period, but I am prepared to say that we shall certainly give long enough notice.

**Babu Ram Narayan Singh :** May I know, Sir, whether as a part of this Damodar Valley development scheme some big embankments are to be constructed on rivers in Santal Parganas District ?

**The Honourable Dr. B.R. Ambedkar :** I am unable to say that at this stage.

**Maulana Zafar Ali Khan :** Arising out of part (c) of the question may I know whether it is a fact that many villagers have been turned out of their homes in Assam, their houses have been demolished, they have been put to great inconvenience and their lands also have been taken away ?

**The Honourable Dr. B.R. Ambedkar :** I do not see how this arises out of this question.

**Mr. President :** He says in connection with the scheme.

**The Honourable Dr. B.R. Ambedkar :** That does not affect Assam at all.

**Babu Ram Narayan Singh :** May I know whether this scheme has been finally decided upon ?

**The Honourable Dr. B.R. Ambedkar :** Yes, Sir.

**Prof. N.G. Ranga :** Is it not a multi-purpose scheme ?

**The Honourable Dr. B.R. Ambedkar :** Yes, Sir.

# 452

## *Strike in Indian School of Mine, Dhanbad

1504. **Babu Ram Narayan Singh :** Will the Honourable the Labour Member please state whether there is a strike in the Indian School of Mine at Dhanbad ? If so, why, and has the strike come to an end ? If so, how ?

**The Honourable Dr. B.R. Ambedkar :** The Honourable Member's attention is invited to the reply given to Starred Question No. 1265, on 26th March, 1946.

**Prof. N.G. Ranga :** Have the Government come to any conclusion regarding the recognition of the diplomas about which they were complaining ?

**The Honourable Dr. B.R. Ambedkar :** The matter is under consideration.

# 453

## @ Number of Indians Employed in International Labour Office

1511. **Prof. N.G. Ranga :** Will the Honourable the Labour Member be pleased to state :

(a) the number of Indians employed by the I.L.O. at its headquarters;

(b) the total amount spent by the I..L.O. on Indian members of the I.L.O. offices and that contributed by the Government of India to the I.L.O.

(c) whether there are any proposals to strengthen the I.L.O. office in India and to open its Branches in all the provincial capitals to keep the I.L.O. in touch with Provincial Governments;

(d) whether Government are doing any thing to increase India's representation at the I.L.O. headquarters, and if so, with what results; and

(e) whether Government propose to send some members of their secretariat to the I.L.O. headquarters for a few months in order to enable them to study the Labour Legislation and its working countries and be in touch with the I.L.O. work ?

*Legislative Assembly Debates (Central), Vol. V of 1946, 3rd April 1946, p. 3429.

@ *Ibid.,* p. 3429.

**The Honourable Dr. B.R. Ambedkar** : (a) It is understood that three Indians are employed at the International Labour Office headquarters. In the Indian Branch of the International Labour Office the personnel of which is wholly Indian, there is a Senior Officer with a sanctioned strength of seven members for 1946.

(b) The expenditure by the International Labour Organisation on Indian members in their various office for 1946 is as follows :

| | | | |
|---|---|---|---|
| Headquarters | ... | ... | 60,000 Swiss Francs or Rs. 45,900 approximately |
| Indian Branches | ... | ... | Rs. 44,640 |

India does not directly contribute to the I.L.O. funds but a portion of the contribution paid by India to the League of Nations is given to the I.L.O. The table below gives the details :

| YEAR | | Total Contribution to Leage of Nations (gold francs) | Portion allotted to the International Labour Office (gold francs) |
|---|---|---|---|
| 1943 | ... | 893,044,24 | 300,731,88 |
| 1944 | ... | 815,024,64 | 300,960,18 |
| 1945 | ... | 1,99,033,39 | 895,200 (Swiss Francs) |
| 1946 | ... | 1,302,938,67 | Not known |

Information obtained from Director, International Labour Office Indian Branch.

*N.B.*—Exchange rates :—

| | | Rs. | As. | Ps. | |
|---|---|---|---|---|---|
| 1 gold franc | ... | 1 | 1 | 5 | approximately. |
| 1 Swiss franc | ... | 0 | 12 | 4 | |

(c) Government have no information.

(d) The answer is in the affirmative.

(i) A few suitable candidates arc being selected by Federal Public Service Commission (India) for appointment to the International Labour Office ministerial staff at Montreal.

(ii In the higher posts the question of the appointment of an Indian as an Assistant Director is under consideration.

(c) The question is under consideration.

**Shri Mohan Lal Saksena :** What is the rupee value of a gold franc ?

**The Honourable Dr. B.R. Ambedkar :** It is Rs. 1-1-5. This information has been given to us by the International Labour Office but I cannot vouch for it.

**Prof. N.G. Ranga :** With regard to part (c), will Government consider the advisability of suggesting to the I.L.O. to open its branches in all the Provincial Capitals to keep the I.L.O. in touch with Provincial Governments ?

**The Honourable Dr. B.R. Ambedkar :** I will look into the matter.

**Prof. N. G. Ranga :** Is it not a fact that the Asiatic countries and also the coloured countries are not given adequate representation on the governing body of the I.L.O. ?

**The Honourable Dr. B. R. Ambedkar :** That is the general impression but I cannot exactly say what the situation is.

**Prof. N. G. Ranga :** What steps do Government propose to take to sec that India as wcl! as the other coloured peoples arc given adequate representation on the governing body of the I.L.O.

**The Honourable Dr. B. R. Ambedkar :** We are always pressing the claim of India. .

**Prof. N. G. Ranga :** With what result? Has there been any improvement at all ?

**The Honourable Dr. B. R. Ambedkar :** We hope some day we will be successful.

**Prof. N. G. Ranga :** Is it not a fact that our position on the governing body is weaker man it used to be three years ago ?

**The Honourable Dewan Bahadur Sir A. Ramaswami Mudaliar :** May I answer this question ? My recollection is that both on the Government side and on the labour side there has been representation for a number of years. Our late colleague in this House, Mr. Joshi, was a member of the governing body for well over 10 or 12 years. Sir Atul Chatterjee was a member of the governing body on behalf of the Government and Chairman of the governing body on one occasion. The present High Commissioner, Sir Samuel Ranganathan is a member of the Governing body and was Chairman of the constitution making body of the governing body at the last International Labour Conference. At present, I believe, after Mr. Joshi ceased to

be a member of the governing body during the last one year, there is no representative of the employees from India on the governing body. That is the only degeneration of the position, if it can be called a degeneration. So far as the Government is concerned, the High Commissioner is a member of the governing body. I cannot say anything about other coloured peoples but certainly India has been throughout a member of the governing body both from the Government side and from the employees side.

**Sjt. N. V. Gadgil :** Is it not a fact that certain changes have been recommended in the constitution of the governing body and they have been laid on the table of the House ?

**The Honourable Dr. B. R. Ambedkar :** That is a matter which will come up for discussion in connection with a Resolution I propose to move.

**Diwan Chaman Lall :** When is the Honourable Member moving it?

**The Honourable Dr. B. R. Ambedkar :** In the course of this Session.

**Shri M. Ananthasayanam Ayyangar :** Now that there is a proposal to abolish the League of Nations, is there a proposal to have direct contribution to the I.L.O. from the Indian exchequer ?

**The Honourable Dr. B. R. Ambedkar :** I cannot say. That will be a matter for the I.L.O. to decide.

# 454

## * Strikes in Central and Provincial Government Presses

1526. **Prof. N. G. Ranga** : Will the Honourable the Labour Member be pleased to state :

(a) for how long the strike in the Government of India Press at New Delhi has been going on;

(b) the grievances and demands of the workers which were brought to the notice of Government.

(c) when these demands were brought before Government and what action was taken thereon to satisfy the legitimate needs of the workers ;

* Legislative Assembly Debates (Central), Vol. V of 1946, 3rd April 1946, p. 3443.

(d) how many workers are now involved in the strike;

(e) whether it is a fact that this strike has spread to or similar strikes are in progress in, other Presses of the Central or Provincial Governments;

(f) whether it is a fact that such a strike is in progress in Bombay, vide page 4 of the Hindustan Times, of the 21st March, and

(g) what steps are being taken by Government to come to a settlement with the workers ?

**The Honourable Dr. B. R. Ambedkar :** (a) The strike lasted for 19 days from the 6th March to 24th March, 1946.

(b) The demands were :

(1) Fixation of a fair living wage at a rate not lower than Rs. 50 p.m.

(2) Revision of existing scales of pay on an equal footing in all the Government of India Presses.

(3) Revision of the Contributory Fund Rules so as to bring them into line with State Railways Provident Fund and grant of gratuity on retirement or death.

(4) Increase in dearness and war allowances.

(5) Revision of leave Rules.

(6) Reduction in working hours from 48 to 40 a week.

(7) Allowance to the men working in the night shift.

(8) Increase in the class rates of pieceworkers.

(9) Casual leave and holidays with pay to pieceworkers.

(10) Retention of temporary workers.

(c) and (g) The demands were brought to Government's notice in February last. The last five demands have since been conceded in part and the concessions announced. The first five demands, being of a general nature affecting all classes of Central Government servants, cannot be granted without due consideration and will have to wait the recommendations of the Pay Commission in regard to salaried hands. Government have also granted the following additional concessions to all pressworkers.

(i) The increased rates of dearness and war allowances would be given retrospective effect from the 1st July, 1944 instead of from 1st January, 1946 to all those now drawing them.

(ii) Half the dearness allowance will count as pay for the purpose of calculating the amount of pension of all workers in receipt of such allowance.

(iii) Those classed as inferior will draw pension up to the limit of half average pay.

Government also propose to appoint an Officer on special duty to report on the anomalies existing in the pay and conditions of service of the various categories of pressworkers in the different Government of India Presses,

(d) 775 industrial workers were involved.

(e) Yes, to the Government of India Forms Press, Aligarh, the employees of which are on strike from the 15th March, 1946. The industrial workers of the Government of India Press, Calcutta and Forms Press, Calcutta, also gave notice of a strike but it has not yet been resorted to.

(f) Government have no information other than what has appeared in the Press. The Press in question is under the Provincial Government.

# 455

## * Requisitioning of Residential Property in New Delhi

**1530. Diwan Chaman Lall :** (a) In view of the War Department's declared intention to proceed as fast as possible with the de-requisitioning of private residential properly as stated in this House in the reply to starred question No. 924 en the 13lh March, 1946, will the Honourable the Labour Member be pleased to state whether the Labour Department intend to refrain likewise from requisitioning any more private residential property in New Delhi for accommodating the officers of the Central Government ?

(b) Do Government still intend to take possession in New Delhi of any residential property (for example No. 4, Ratendone Road) which was previously requisitioned by Government but which was not actually taken over by them? What are the reasons, if any, why it is still considered necessary to obtain possession of such requisitioned property ?

(c) In view of the general de-requisitioning programme, have Government considered the advisability of allowing the existing tenants of the residential accommodation referred to in part (b) above to

* Legislative Assembly Debates (Central) Vol. V of 1946 3rd April 1046 p. 3445.

continue in occupation thereof? If so, do Government propose to issue early orders accordingly ? If not, why not ?

**The Honourable Dr. B. R. Ambedkar :** (a) Since the cessation of hostilities with Japan, Labour Department have given up requisitioning fresh residential property for accommodating officers of the Central Government.

(b) It is not possible to lay down any general rule. Where Government have permitted one of their servants to occupy a bungalow already requisitioned for the pool, Government must have the right to use the bungalow for the pool. No. 4, Ratendone Road is a case of this type.

This is necessary to secure the best utilization of accommodation in the pool for Government purposes.

(c) Each case will have to be decided on its merits from the point of view of the best utilization of accommodation in the pool.

# 456

## * Mica Mines Labour Welfare Fund Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : Sir, I beg for leave to introduce a Bill to constitute a fund for the financing of activities to promote the welfare of labour employed in the mica mining industry.

**Mr. President :** The question is :

> "That leave be granted to introduce a Bill to constitute a fund for the financing of activities to promote the welfare of labour employed in the mica mining industry."

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir, I introduce the Bill.

# 457

## @ Factories (Amendment) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member) : Sir, I move :

> " That the Bill further to amend the Factories Act, 1934, as reported by the Select Committee, be taken into consideration."

*Legislative Assembly Debates (Central), Vol. V of 1946, 3rd April 1946, p. 3457.

@ *Ibid.* p. 3457.

I do not think it is necessary at this stage for me to make any very lengthy observations on the Bill as it has emerged from the Select Committee. The Bill had originally seven clauses. Out of the seven clauses it is only four clauses to which the Select Committee have made certain amendments. Those amendments are largely speaking in the direction of liberalising the original provisions contained in the Bill in favour of the workmen. Although I find that some of the amendments made in the Select Committee to the original draft of the Bill have gone somewhat beyond the intentions of the Government, I do not propose to raise any objections to the Bill as it has emerged from the Select Committee. I am prepared to accept it in the form in which it now stands. Sir, I move.

**Mr. Deputy President :** Motion moved :

> "That the Bill further to amend the Factories Act, 1934 as reported by the Select Committee be taken into consideration."

# 458

## * Monthly Grant to Indian Federation of Labour

1632. **Shri Satya Narayan Sinha** : (a) Has the attention of the Honourable the Labour Member been drawn to the report published in the Sunday Morning Edition of the *National Call,* dated the 24th March regarding the data available in connection with the monthly grant of Rs. 13,000 for labour propaganda to the Indian Federation of Labour ?

(b) Is it a fact that, when the pay of the propagandists had decreased, the cost of dissemination of news has proportionately increased ?

(c) Is it a fact that the keeping of the accounts was severely criticised by the Auditor-General who has not satisfied with the accounting system ?

**The Honourable Dr. B. R. Ambedkar** : (a) Yes.

(b) The statement of accounts of the Indian Federation of Labour which placed before the House on 19th March, 1946 shows that variations in the expenditure, resulting in decreases under the heading relating to the 'pay of propagandists' and corresponding increases under the heading relating to "dissemination of news" occurred in

* Legislative Assembly Debates (Central), Vol. V of 1946, 8th April 1946, p. 3645.

the months of May, June and July 1945. These variations were merely due to changes in the classification of headings of expenditure, introduced in April 1945, consequent on the transfer of control over the operations of the Labour propaganda scheme from the Information and Broadcasting Department to the Labour Department, whereby the expenditure on allowances to propagandists in charge of labour centres, workers clubs and other agencies of news dissemination, which was hitherto shown under the heading 'pay of establishment' was shown from May 1945 onwards, under the heading 'honoraria for news dissemination'. The overall expenditure under the heading relating to 'pay of propagandists ' and ' dissemination of news ' during these months, however, remained almost the same as in the preceding months.

(c) The attention of the Honourable Member is invited to my answer to first part of (b) and (d) of question No. 31, asked by Mr. Lalchand Navalrai, on 2nd November, 1945, and also to para. 68 of the Report of the Public Accounts Committee on the accounts of 1943-44.

**Shri Satya Narayan Sinha :** What has happened after that ? Will the Honourable Member be pleased to place all these accounts before the Public Accounts Committee ? It is a waste of public money, I believe.

**The Honourable Dr. B.R. Ambedkar :** It was considered by the Public Accounts Committee, and, as I have said in my reply, Honourable Member's attention is invited to para 68 of the Report of the Public Accounts Committee on the accounts of 1943-44.

**Diwan Chaman Lall :** May I ask my Honourable friend as to what the position is after 1945 and whether this grant has now been discontinued ?

**The Honourable Dr. B. R. Ambedkar :** It has been discontinued.

**Diwan Chaman Lall :** What was the position between 1945 and its discontinuance ?

**The Honourable Dr. B. R. Ambedkar :** I have not got the information, but if my Honourable friend will put down a question I shall answer it.

**Diwan Chaman Lall :** Is it a fact that the accounts were vetted at the time when this grant was discontinued ?

**The Honourable Dr. B. R. Ambedkar :** I must have notice of that.

**Diwan Chaman Lall :** My Honourable friend does not know whether they were vetted after that ?

**The Honourable Dr. B. R. Ambedkar :** I could not tell you.

**Shri Satya Narayan Sinha :** Will the Honourable Member look into the whole matter?

**The Honourable Dr. B. R. Ambedkar :** I have. What more can I do?

**Mr. Manu Subedar :** What is the present amount of the expenditure on labour propaganda through Indian Federation of Labour ?

**The Honourable Dr. B. R. Ambedkar :** As I have said, the grant has been discontinued.

**Shri Mohan Lal Saksena :** May I know when was it discontinued?

**The Honourable Dr. B. R. Ambedkar :** Last year, if I mistake not.

**Miss Maniben Kara :** Is it not true that the accounts were submitted by the Indian Federation of Labour according to the procedure laid down by the Department of Information and Broadcasting at the time that the grant was made ?

**The Honourable Dr. B. R. Ambedkar :** I believe so.

**Prof. N. G. Ranga :** Is it not a fact that the Indian Federation of Labour did not lay down their procedure for a long time even after the grant was made, and the Auditor General look very strong objection to the procedure followed by the Department itself?

**The Honourable Dr. B. R. Ambedkar :** As I said in the course of my reply, this grant was really administered by the Information and Broadcasting Department. It was at a later stage that the administration was transferred to the Labour Department.

**Diwan Chaman Lall :** Why?

**Miss Maniben Kara :** Is it not true that prior to May 1944, the Federation was asked to dispense with submitting of the vouchers and they were asked merely to submit the accounts and also whether the Indian Federation of Labour did not do so according to the instructions of that Department ?

**The Honourable Dr. B. R. Ambedkar :** I am unable to say. The mailer was administered by another department.

**Miss Maniben Kara :** Is it not a fact that the grant has now been stopped as a result of the termination of the war?

**The Honourable Dr. B. R. Ambedkar :** Yes, I said so.

**Prof. N.G. Ranga :** How many of those people who were formerly engaged as propagandists for 'dissemination of news' under this grant have come to be absorbed by the Information and Broadcasting Department ?

**The Honourable Dr. B. R. Ambedkar :** The question ought to be put to the Honourable Member for Information and Broadcasting Department.

**Shri Mohan Lal Saksena :** May I know whether the grant terminated before the termination of the war or afterwards ?

**The Honourable Dr. B. R. Ambedkar :** I cannot say exactly.

**Shri Mohan Lal Saksena :** Was it not terminated last year in April 1945 ?

**The Honourable Dr. B. R. Ambedkar :** Yes.

**Diwan Chaman Lall :** May I ask my Honourable friend whether the final accounts have been placed before the Public Accounts Committee ?

**The Honourable Dr. B. R. Ambedkar :** They will be placed before the public Accounts Committee in due course I am sure.

**Mr. Ahmed E. H. Jaffer :** Is it not a fact that this amount of Rs. 30,000 was misused ? It was not used for the purpose for which this Government had allotted this money; and that it was used for the Honourable Member's party propaganda.

**The Honourable Dr. B. R. Ambedkar :** I must take strong objection to the statement made by my Honourable friend that this money was spent on party propaganda. You must withdraw that.

**Mr. President :** Order, order.

**Prof. N. G. Ranga :** He did not say that.

**The Honourable Dr. B. R. Ambedkar :** Yes, he did.

**Mr. Ahmed E. H. Jaffer :** Let the Honourable Member deny it on the floor of the House and not lose his temper.

**Mr. President :** Order, order. Will the Honourable Member resume his seat ? The Honourable Member is not in order in saying that the Honourable Member for Labour was in temper.

**Mr. Ahmed E. H. Jaffer :** May I ask, is the Honourable Member entitled to lose his temper which he usually does in the House ?

**Dr. Sir Zia Uddin Ahmad :** The Honourable Member said that

he strongly protests against such questions. Are these parliamentary words ?

**The Honourable Dr. B. R. Ambedkar :** I said I strongly protest against the suggestion made by my Honourable friend that this money was used for the party to which I belong. I do not belong to the Indian Labour Federation.

**Mr. President :** I have not been able to understand the objection of Dr. Sir Zia Uddin.

**Dr. Sir Zia Uddin Ahmad :** Can the Honourable Member say : 'I strongly protest against any particular question ?'

**Diwan Chaman Lall :** May I ask whether it is a fact that this money was utilized for the propaganda of the Indian Federation of Labour ?

**The Honourable Dr. B. R. Ambedkar :** I cannot say. So far as Government information goes, it was used for the purposes for which it was granted.

**Diwan Chaman Lall :** May I ask my Honourable friend whether it is a fact that honest and decent organisations like the All-India Trade Union Congress refused to touch a single penny of such money ?

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend is entitled to have his own opinion with regard to certain organisations.

**Diwan Chaman Lall :** Is it a fact that my Honourable friend approached the All-India Trade Union Congress in this respect and that the All-India Trade Union Congress refused to touch this money ?

**The Honourable Dr. B. R. Ambedkar :** We approched all organisations. It was a general circular addressed to all organisations that if they care to come and have a scheme for maintaining the morale of labour, the Government of India was prepared to help in this respect. The Government of India did not invite any particular organisation to join this scheme.

**Diwan Chaman Lall :** Is it a fact that the only organisation that did come to my Honourable friend and make use of this money was the Indian Federation of Labour ?

**The Honourable Dr. B. R. Ambedkar :** Yes.

**Mr. Ahmed E. H. Jaffer :** Is the Honourable Member now satisfied at any rate by the discussion that has taken place as a result of so many supplementary questions, that this money has not been properly used and that there is a suspicion. In view of this, will the

Honourable Member appoint a non-official auditor to look into the accounts of this amount ?

**The Honourable Dr. B. R. Ambedkar :** I do not think it is necessary to do so. The matter will come before the Public Accounts Committee which is the committee appointed by this House.

**Diwan Chaman Lall :**..... May I ask why has the Honourable Member delayed placing this matter before the Public Accounts Committee....

**The Honourable Dr. B. R. Ambedkar :** It has not been delayed.

**Diwan Chaman Lall :** ..... considering that this expenditure ceased last year?

**The Honourable Dr. B. R. Ambedkar :** It has not been delayed. It has been put before the Public Accounts Committee.

**Diwan Chaman Lall :** Why has it not been put before it so far ?

**Mr. President :** Next question.

# 459

## * Junior Readers in Government Presses

1635. **Hajee Chowdhury Mohammad Ismail Khan :** (a) Will the Honourable the Labour Member be pleased to state the basis on which officiating Junior Readers are confirmed in the permanent posts of Junior Readers, in all the Government of India Presses ?

(b) Is it a fact that the nature of the duties and the cadre of Copyholders are quite different from those of Junior Readers ?

(c) Is it a fact that some officiating Junior Readers who entered the Junior Reader's grade earlier, have been declared junior in the Junior Reader's grade to some of the copyholders who failed to qualify in the Readership Examination in which they appeared along with the former in any Government of India Press ?

(d) Is it a fact that the order by which the qualified copyholders are once allowed to work in the Junior Reader's posts can be altered if they continue to maintain their efficiency to the utmost satisfaction ?

(e) Do Government propose to consider the desirability of giving preference in the permanent posts of Junior Readers, to those qualified Copyholders who have more length of total service as officiating Junior Readers at their credit ?

* Legislative Assembly Debates (Central), Vol. V of 1946, 8th April 1946, pp. 3649-50.

**The Honourable Dr. B. R. Ambedkar** : (a) Confirmation is made according to seniority in the rank of copyholders except, in the case of men who have qualified in the reader's examination in the third chance for whom certain reservations have been made.

(b) Yes.

(c) Yes.

(d) Yes, unless the junior copyholder is confirmed earlier.

(e) No. The present rules have been framed after full consideration.

1636. * **Hajee Chowdhury Mohammad Ismail Khan** : (a) Will the Honourable the Labour Member be pleased to state whether the scale of pay of the New Scale Junior Readers is Rs. 55-3-85 and that or Copyholders Rs. 45-4-60-EB-5-80 (in the 'C grade of the United Scale), in the Government of India Press, New Delhi ?

(b) Is it also a fact that anomalies still exist between the pay of Junior Readers and that of Copyholders because a permanent Junior Reader with four or five year's service as such at his credit is getting Rs. 64 per month only, whereas a temporary Copyholder, officiating as a Junior Reader would be getting Rs. 67 per month ?

(c) Is it a fact that the Manager of the said press had recommended 'B' grade, after a very careful consideration, to Junior Readers, which being the only alternative of removing the existing anomalies ?

(d) Does the Honourable Member propose to sanction 'B' grade of the unified scale for Junior Readers at an early date for the purpose of removing these anomalies? If not, why not ?

**The Honourable Dr. B. R. Ambedkar** : (a) Yes.

(b) A permanent Junior reader on revised scale of pay is entitled to Rs. 64 p.m. after four years' service and to Rs. 67 p.m. after five years' service. In certain cases a temporary Copyholder in the unified scale, if appointed as reader is entitled lo Rs. 67 p.m.

(c) Yes.

(d) The unified scale is a temporary scale and was intended for the clerical staff of the Government of India. It was made specially applicable to the Copyholders and Junior Revisers of the Government of India Presses. The applicaiton of the 'B' Grade of the unified scale would create more anomalies and complications as there arc several grades of readers on different rates of pay in the various Government of India Presses.

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Legislative Assembly Debates (Central), Vol. V of 1946, 8th April 1946, p. 3650.

# 460

## * Uses of Thorium

1642. **Sri M. K. Jinachandran :** Will the Honourable the Labour Member be pleased to state the uses to which Thorium could be put militarily ? Is the article capable of being used for any civil purpose ? If so, what ?

**The Honourable Dr. B. R. Ambedkar :** According to recent reports it seems possible that in the chain reactions which led to the release of atomic energy a part of the Uranium can be replaced by Thorium. Thorium is used in the manufacture of incandescent gas mantles, lamps, radio valves, etc.

**Prof. N. G. Ranga :** Where is it to be found in India ?

**The Honourable Dr. B. R. Ambedkar :** Travancore.

**Sri A. Karunakara Menon** : Only in Travancore or in any other part of India ?

**The Honourable Dr. B. R. Ambedkar :** I want notice of that.

**Mr. Manu Subedar :** Has Government been approached by His Majesty's Government or by anybody outside India in order to control this supply of Thorium, and have Government committed themselves to any particular country ?

**The Honourable Dr. B. R. Ambedkar :** I have no knowledge of any such suggestion.

**Prof. N. G. Ranga :** Are Government getting this thing examined by their geological experts ?

**The Honourable Dr. B. R. Ambedkar :** I will bear that suggestion in mind.

**Sri** A. **Karunakara Menon :** Are they exporting this product to any foreign country ?

**The Honourable Dr. B. R. Ambedkar :** I have no information. If my Honourable friend wants any information, he must give me enough notice.

**Prof. N. G. Ranga :** Is it being exported? If so, every step possible should be taken to stop its export for national security.

**The Honourable Dr. B. R. Ambedkar :** I will find out.

* Legislative Assembly Debates (Central), Vol. V of 1946, 8th April 1946, p. 3655.

# 461

## * Muslims in Central P. W. D.

**1646. Mr. Muhammad Rahmat-UIIah** : (a) Will the Honourable the Labour Member please state the ratio of Muslim employees in the following posts in the Central Public Works Department :—(i) Superintending Engineers, (ii) Executive Engineers, (iii) Assistant Executive Engineers, (iv) Sub-Divisional Officers, (v) Subordinates, (vi) Head Clerks, (vii) Divisional Accountants ?

(b) Why is the Muslim ratio inadequate in gazetted posts ?

(c) Why are not the Muslims given promotions on communal basis when the appointments are made on communal basis and when the ratio is hardly eight per cent ?

(d) What will be the policy of Government on the confirmation of staff of the Central Public Works Department in the near future ? What steps will be taken to adjust the ratio in all posts?

(e) On what basis are the construction and maintenance works allotted to Sub-Divisional Officers and Subordinates? If the Muslims are deprived of the above works and if the complaint is made to the Chief Engineer or the Superintending Engineers, what steps do they take to check communalism ?

(f) Is it a fact that the Store or the Standard Measurement Books are allotted to the Muslim Subordinates? Is it a fact that they are not entrusted with the construction and the maintenance works in the Central Public Works Department in Delhi and outside ?

**The Honourable Dr. B. R. Ambedkar** :

(a) (i) Superintending Enginccrs-6 per cent.

(ii) Executive Engineers-17 per cent.

(iii) Assistant Executive Engincers-14 per cent.

(iv) Sub-Divisional Officers-17 per cent.

(v) Subordinatcs-22 per cent.

(vi) Head Clerks-24 per cent.

(vii) Figures for Divisional Accountants are not readily available.

(b) The posts of Superintending and Executive Engineers are filled by promotion and the orders regarding reservation of appointments

* Legislative Assembly Debates (Central), Vol. V of 1946, 8th April 1946, p. 3656.

for minority communities do not apply to cases of promotion. It is not, therefore, possible to secure the 25 per cent, quota for Muslims in such posts. As regards Assistant Executive Engineers who are appointed both by direct recruitment as well as by promotion, the shortage of Muslims is due to the refusal of a Muslim candidate to accept the offer of appointment which was recently made to him.

(c) As already stated, promotions are not made on communal considerations.

(d) All confirmations of direct recruits and other temporary personnel holding no substantive appointments under Government will be made with due regard to the requirements of the orders regarding reservation of appoinments for minority communities. No adjustment of the ratio can, however, be made in the case of appointments made by promotion, but in effecting retrenchment, if any, the orders regarding observance of the communal representation rules will be duly followed.

(e) Construction and maintenance works are not allotted to Sub-Divisional Officers and Subordinates on any communal basis.

(f) No.

**Dr. Sir Zia Uddin Ahmad :** May I ask, as regards the appointment of Superintending Engineer, if the Honourable Member said on the floor of the House that one place was vacant and he has appointed a person who is not even qualified to carry on the work as Superintending Engineer, while the Mussalmans who could be appointed as Superintending Engineer were not appointed ? I also pointed out to him on the floor of the House that the appointment will be made when the Assembly is over and we will have to come up with an adjournment motion.

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend is completely mistaken. I said that the Executive Engineer was called upon to do the current duties of the office. No appointment has been made.

**Dr. Sir Zia Uddin Ahmad :** You said he can carry on the work of this Superintending Engineering. I cannot understand the work of this man when he is not carrying on for a day or two, but for months together. Is this the efficiency of this Department ?

**The Honourable Dr. B. R. Ambedkar :** My Honourable friend is entitled to have this opinion.

**Dr. Sir Zia Uddin Ahmad:** Our opinion is that the entire Department is very inefficient. As regards the other lists of appointments that he has for posts of Executive Engineer, there is not a single Muslim.

**Mr. President:** Order, order. Will the Honourable Member put his question ?

**Dr. Sir Zia Uddin Ahmad:** I am putting this question. Is it not a fact that in the list now prepared, there is not a single appointment for Muslims ?

**The Honourable Dr. B. R. Ambedkar :** How does my Honourable friend know it ? The list has not come to me.

**Dr. Sir Zia Uddin Ahmad :** The outcome is that not a single man is a Muslim.

**The Honourable Dr. B. R. Ambedkar :** I do not understand how my Honourable friend can make that statement. The Government has taken no action.

**Mr. President :** Order, order.

**Dr. Sir Zia Uddin Ahmad :** Can the Honourable Member deny that there is not a single Muhammadan in the list which he has prepared for Superintending Engineer?

**The Honorable Dr. B. R. Ambedkar :** As I said, I have not the list. The file has not been sent to me. My Honourable friend will have to wait until the Department has taken action before he criticizes.

**Dr. Sir Zia Uddin Ahmad:** Then it will be too late.

**Mr. President**: Order, order.

**Mr. Ahmed E. H. Jaffer :** Is the Honourable Member prepared to agree that the percentage of Muslims in these appointments of Superintending Engineers and others falls far below the 25 per cent. reserved quota for Mussalmans under G. R. Home Department of 1934, and if so is the Honourable member going to take steps to maintain the quota?

**Mr. President:** Has not the Honourable Member already answered that?

**Mr. Ahmed E. H. Jaffer :** No. Sir.

**The Honourable Dr. B. R. Ambedkar :** The figures are so obvious.

**Mr. Ahmed E. H. Jaffer :** It means that the Honourable Member agrees that the Muslim quota is far below the 25 per cent. May I ask

the Honourable member whether he is prepared to take immediate steps to see that the Muslim quota is properly carried out ?

**The Honourable Dr. B. R. Ambedkar :** The Honourable Member's attention is invited to my reply to part (c) of the question.

**Dr. Sir Zia Uddin Ahmad :** If that position is accepted no Muslims will ever be appointed. The Honourable Member will ask somebody else to carry on the work.

**The Honourable Dr. B. R. Ambedkar :** The real complaint is against the circular issued by the Home Department and not against the Labour Department.

# 462

## * Industrial Employment (Standing Orders) Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): I move for leave to introduce a Bill to require employers in industrial establishments formally to define conditions of employment under them.

**Diwan Chaman Lall** (West Punjab : Non-Muhammadan) : May I, on a point of order enquire how this Bill can be moved when another Bill is being discussed ? Would it not be proper to take up this motion after the other Bill has been discussed ?

**Mr. President:** We have not started with the discussion of the other Bill which was pending before the House. This is purely a formal matter. It is more convenient, and so far as I know there have been precedents also where a pending matter before the House has been postponed and another matter taken up. It is purely a matter of procedure and adjustment.

The question is :

> " That leave be granted to introduce a Bill to require employers in industrial establishments formally to define conditions of employments under them."

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir, I introduce the Bill.

* Legislative Assembly Debates (Central), Vol. V of 1946, 8th April 1946, p. 3667.

# 463

## * Papers Laid on the Table
## Reports of the Labour Investigation Committee

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I lay on the table a copy each of the following Reports of the Labour Investigation Committee:—

(1) Report on an Enquiry into Conditions of Labour in the Silk Industry in India.

(2) Report on an Enquiry into conditions of Labour in the Cement Industry in India.

(3) Report on Labour Conditions in Carpet Weaving.

(4) Report on Labour Conditions in the Iron Ore Industry.

(5) Report on Labour Conditions in Coir Mats and Matting Industry.

(6) Report on Labour Conditions in the Mica Mining and Mica Manufacturing Industry.

(7) Report on an Enquiry into Conditions of Labour in Dockyards in India.

(8) Report on Labour Conditions in the Shellac Industry.

(9) Report on Rickshaw Pullers.

(10) Report on Labour Conditions in the Rice Mills.

(11) Report on Labour Conditions in the Glass Industry.

(12) Report on an enquiry into conditions of Labour in the Bidi, Cigar and Cigarette industries.

(13) Report on an Enquiry into Conditions of Labour in Plantations in India.

(14) Report on an enquiry into conditions of Labour in the Gola Mining Industry in India.

(15) Report on Labour Conditions in Potteries.

(16) Report on Labour Conditions in the Chemical Industry.

(17) Report on an Enquiry into Conditions of Labour in the Manganese Mining Industry in India.

(18) Report on an Enquiry into Conditions of Labour in the Mineral Oil Industry in India.

* Legislative Assembly Debates (Central), Vol. V of 1946, 9th April 1946, p. 3744.

(19) Report on an Enquiry into Conditions of Labour in the Woollen Textile Industry in India.

(20) Report on an Enquiry into conditions of Labour in the Paper Mill Industry in India.

**Sjt. N. V. Gadgil** (Bombay Central Division : Non-Muhammadan Rural): These papers are not circulated. Will the Honourable Member be good enough to supply them to those who apply for them ?

**The Honourable Dr. B. R. Ambedkar :** I shall certainly consider it, Sir. We have not got sufficient number of copies.

**Mr. President:** The present request is to supply copies to those only who ask for them.

# 464

## * Minimum Wages Bill

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I move for leave to introduce a Bill to provide for fixing minimum wages in certain employments.

**Mr. President:** The question is :

> " That leave be granted to introduce a Bill to provide for fixing minimum wages in certain employments. "

The motion was adopted.

**The Honourable Dr. B. R. Ambedkar :** Sir, I introduce the Bill.

# 465

## @ Mica Mines Labour Welfare Fund Bill
## Presentation of Report of Select Committee

**The Honourable Dr. B. R. Ambedkar** (Labour Member): Sir, I beg to present the report of the Select Committee on the Bill to constitute a fund for the financing of activities to promote the welfare of labour employed in the mica mining industry.

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* Legislative Assembly Debates (Central), Vol. V of 1946, 11th April 1946, p. 3842.

@ *Ibid. p.* 3871

# 466

## * Deposits of Thorium

1740. **Mr. Ahmed E. H. Jaffer :** Will the Honourable the Labour member be pleased to state if deposits of thorium which is used for the manufacture of atomic energy have been discovered in many parts of India ?

**The Honourable Dr. B. R. Ambedkar :** The Honourable Member's attention is invited to the reply given in this House to starred question No. 1276, on 26th March, 1946.

**Mr. Ahmed E. H. Jaffer:** Is it a fact that considerable deposits of thorium have been found in the Travancore State, and, if so, have Government taken any steps to control this in the matter of disposal ?

**The Honourable Dr. B. R. Ambedkar:** It is in an Indian State and the Government of India have no right to interfere in that.

1743. **Sardar Mangal Singh :** Will the Honourable the Labour Member please state :

(a) the number of refrigerators purchased by Government for installations at the residential buildings at Delhi and New Delhi;

(b) the terms and conditions on which they are let on hire to the tenants of those buildings ;

(c) the particulars of officials of the Estate Office and Public Works Department, who are provided with the temporarily and permanently;

(d) whether they are not available for the use of the Honourable Members of the central Legislature during their occupation of those buildings of official duty in connection with Sessions and committees;

(e) if it is a fact that most of the staff of the office and department not in occupation of those buildings are provided with them ; and

(f) if Government propose to make them available for use of the Honourable members of the Central Legislature by withdrawing them from the staff of that office and of that department; if not, why not ?

* Legislative Assembly Debates (Central), Vol. V of 1946, 12th April 1946, p. 3873.

**The Honourable Dr. B. R. Ambedkar** : (a) 334.

(b) The terms and conditions of hire are laid down in the Rules for the allotment of refrigerators in Delhi and New Delhi, a copy of which is placed on the table of the House.

(c) Only one officer, viz., Additional Chief Engineer, Central Public Works Department, has been allotted a refrigerator for the Summer Season 1946.

(d) No.

(c) No.

(f) The question does not arise.

* * *

**Diwan Chaman Lall:** With reference to the answer to (d), may I ask whether they are not available to members of the Assembly.

**The Honourable Dr. B. R. Ambedkar** : Under the rules, they are not available.

**Mr. Manu Subedar:** May I know what has happened to the refrigerators which were requisitioned by the Government during the war from private individuals ?

**The Honourable Dr. B. R. Ambedkar:** I want notice.

# 467

## * Requisitioning of House No. 42-B, Hanuman Lane, New Delhi

1756. **Mr. P. B. Gole :** (a) Will the Honourable the Labour Member be pleased to state whether house No. 42-B, Hanuman Lane, New Delhi, requisitioned by Government is lying vacant for a long time ? If so, since when ? Are Government paying the rent of the house lying vacant?

(b) Is it a fact that the house was occupied by Mr. Manoharlal Tuli before it was requisitioned by Government ?

(c) Is it a fact that when the house was vacated by Mr. Manoharlal, it was in a damaged condition and, consequently, no allottee was prepared to occupy the same ?

(d) Is it a fact that Government now propose to release the house ?

* Legislative Assembly Debates (Central), Vol. V of 1946, 12lh April 1946, p. 3886.

Why was not the house released earlier when nobody was prepared to occupy it ?

(e) What is the approximate date when Government would release the house ?

**The Honourable Dr. B. R. Ambedkar :** (a) The house was allotted to an officer on 15th September, 1945, but as he did not occupy it, it has been lying vacant ever since that date. Government are paying rent for the period the house has been lying vacant.

(b) Yes.

(c) No.

(d) Yes. The latter part of the question does not arise in view of the answer given to part (c) of the question.

(e) About the 15th April 1946.

# 468

## * Application of National Labour Tribunal Ordinance to Officers of Merchant Navy

**1757. Miss Maniben Kara :** Will the Honourable the Labour Member be pleased to state :

(a) Whether the National Labour Tribunal Ordinance made applicable to certified officers on ships of Indian Registry in December, 1944, was an emergency measure;

(b) whether Government consider that the same emergency still continues to exist; if so, for what reasons; and

(c) whether in view of the restriction on the liberties of seamen that the Ordinance imposes, Government propose to revoke it at an early date, at least as far as the officers of the Merchant Navy are concerned ?

**The Honourable Dr. B. R. Ambedkar :** (a) Yes.

(b) No.

(c) The provisions of the National service (Technical Personnel) Ordinance 1940, have been generally relaxed since February 1946, and they are not being used to take technical personnel into the national service. Control over the movement of technical personnel has also

*Legislative Assembly Debates (Central), Vol. V of 1946, 12th April 1946, p. 3887.

been relaxed except in the case of key technical staff engaged on work of national importance. In the case of ships pilots, the provisions of the Ordinance may be invoked to the extent necessary to keep them at their posts of duty until the end of April 1946, by which date it is hoped to withdraw control over their movements unless it is found that the control is still necessary in the interests of the quick handling of imported foodgrains at ports. It is proposed to withdraw all control over the movements of other technical personnel by the end of April, 1946.

**Miss Maniben Kara :** Is the Honourable member aware that the Ordinance is being used against the Indian Merchant Naval Officers particularly by Indian Companies, that under the threat of this Ordinance, the Merchant Navy Officers are harassed ? I am not talking of the pilots of the Indian merchant Navy.

**The Honourable Dr. B. R. Ambedkar :** I am not aware of it, but if particular instances are brought to my notice I will look into the matter.

**Miss Maniben Kara :** Is it not a fact that some appeal was made by the Maritime Union of India against the use of this Ordinance by Scindia Company (India) ?

**The Honourable Dr. B. R. Ambedkar :** I am afraid I must have notice of that.

**Mr. President:** He wants to have notice.

# 469

## *Rates of Supply of Electricity in Delhi, New Delhi, Bombay and Calcutta

1771. **Pandit Thakur Das Bhargava :** Will the Honourable the Labour Member kindly state:

(a) the rates of supply of electricity in Delhi and New Delhi compared with those in Calcutta and Bombay.

(b) the reasons why the rates in Delhi and New Delhi cannot be brought into line with those in Calcutta or Bombay ; and

* Legislative Assembly Debates (Central), Vol. V of 1946, 12th April 1946, p. 3897.

(c) whether any lowering of rates can be expected in Delhi in the near future ?

**The Honourable Dr. B. R. Ambedkar :** (a) A statement is laid on the table.

(b) The rates for lighting and fans in Delhi and New Delhi are already uniform. The question of removal of the slight difference in the rates for power is under consideration.

The reason for the difference between New Delhi and Delhi rates on the one hand and Calcutta or Bombay rates on the other is that the Supply undertakings at Bombay and Calcutta, having considerably larger loads both domestic and industrial, are able to maintain a very much better lead factor than smaller undertakings at Delhi and New Delhi. Apart from this, conditions vary from place to place and much depends upon the types of generating plant used and other facilities connected with such plant.

(c) It is not possible to make any statement on this subject at present, but the Honourable member can rest assured that the matter is constantly under attention.

# 470

## * Constitution of the Delhi Central Electric Power Authority

**1772. Pandit Thakur Das Bhargava :** Will the Honourable the Labour Member kindly state:

(a) the constitution of the Delhi Central Electric Power Authority Company, Limited;

(b) if it is a fact that all the members of the Board are Europeans with the Exception of one Indian;

(c) if it is a fact that the Delhi Municipality is represented on the Board;

(d) if it is a fact that the Delhi Municipalty insist on having two representatives instead of one;

(e) if Government propose to take over the Delhi Electric and Traction Company, Limited, and if the said Company had a

* Legislative Assembly Debates (Central), Vol. V of 1946, 12th April 1946, p. 3899.

representative on the Board of the Delhi Central Electric Power Authority Company, Limited; and

(f) what objections, if any, Government have got to give more representation to the Delhi Municipality by giving it the representation enjoyed by the Delhi Electric and Traction Company, Limited, when it is taken over in addition to the representation already given to it ?

**The Honourable Dr. B. R. Ambedkar** : (a) Presumably the Honourable member refers to the Delhi Central Electric Power Authority. Its membership is as follows:

(1) Governor General in Council;

(2) Delhi Factories Owners' Federation;

(3) Commander, Delhi Independent Brigade Area;

(4) The Punjab Chamber of Commerce ;

(5) The Delhi Electric Supply and Traction Company, Ltd.,

(6) New Delhi Municipal Committee.

(b) Yes.

(c) No.

(d) This was the position of the Delhi Municipal Committee in 1938 when the Delhi Central Electric Power Authority was established. The question has not been raised since.

(e) Yes.

(f) As the Delhi Municipal Committee is not a member of the Delhi Central Electric Power Authority Limited, the question of giving it additional representation does not arise.

# 471

## * Dr. Krishnan's Suggestions *re:* Mineral Resources of India

1773. **Prof. N. G. Ranga :** Will the Honourable the Labour member be pleased to state :

(a) if his attention has been drawn to the report of a lecture delivered by Dr. M. S. Krishnan to the Geology Association of the Presidency College, Madras, on the 14th of March, as reported in the *Hindu* of the 14lh March ;

* Legislative Assembly Debates (Central), Vol. V of 1946, 12th April 1946, p. 3899.

(b) What steps are being taken to obtain adequate quantities and build up reserves of copper, silver, nickel, platinum, tin, mercury, graphite and potash;

(c) what steps are also being taken to develop and exploit hydraulic (electrical) power resources in all those Provinces which do not have coal mines within easy reach, so as to develop local industries;

(d) whether any steps are being taken to draw power from wind through wind mills and to popularise the use of wind mills ; and

(e) whether Dr. Krishnan's suggestion of establishing "well-equipped laboratories" to "assess the quality and quantity of the various minerals" and also his suggestion that locally available minerals shall be utilised in preference to imports will be fully studied ?

**The Honourable Dr. B. R. Ambedkar** : (a) Yes.

(b) During the war Government had a proposal under consideration to build up in India a strategic stock of certain important minerals and related substances; but it did not materialise. Government are considering a revision of its mineral policy and due attention will in that connection be paid to these minerals which are in short supply in India.

(c) Generally speaking steps are being taken by Provincial and State Governments to develop and exploit Hydro-Electric Power Resources to the maximum extent of technical manpower at present available for such investigations. Central Technical Power Board is already assisting in certain cases subject to limit of its present strength in manpower and will do more when adequate technical staff is procured. Government of India are fully aware of the necessity for far greater measure of Hydro-Electric System development throughout the country than is at present being undertaken, particularly in areas which are remote from major coal deposits, but they consider that this cannot be achieved without a far greater body of experienced technical personnel than at present exists and to this end are doing their utmost to recruit Specialists Technical personnel on contract.

(d) No special steps are being taken by Government of India to draw power from wind or to popularise use of Wind Mills at present. Government is advised that such installations, while useful in selected

areas depending on meteorological conditions, are individually productive of only extremely small amounts of power and that too intermittently.

(e) The Geological Survey of India has been lately reorganised and its laboratory facilities considerably expanded. Further expantion in the direction of providing free advice and information on mineral and mining matters is being taken up. The recently planned National Metallurgical and National Chemical Laboratories will be fully equipped to assess the quality of Indian minerals and in other ways prove of great assistance in the development of mineral industries. Domestic treatment and utilisation of India's minerals and ores, in preference to their export in the raw condition, is being considered by Government. A number of industrial Panels, instituted since 1944, have collected valuable information and data under this head which are being studied for the framing of a new Mineral Policy.

**Prof. N. G. Ranga :** As regards part (c), the Honourable Member says they need many more specialists in order to develop these hydroelectric power resources. What steps are Government taking to get Indians of requisite abilities and qualifications to specialise in these directions so that their services may be made use of?

**The Honourable Dr. B. R. Ambedkar :** A number of Indians have been sent abroad for training in these specialised occupations.

**Prof. N. G. Ranga :** As part of this new scheme of sending scholars ?

**The Honourable Dr. B. R. Ambedkar :** In addition to them, there are also other people who have been sent.

**Prof. N. G. Ranga :** With reference to part (d), my Honourable friend threw cold water on the suggestion to utilise wind power by saying that it could only give intermittent power and nothing more. In view of the fact that thousands of peasants are interested in these wind-mills, will Government try and look into this matter a little more carefully and devise ways by which they can possibly assist our peasants and others to draw as much power as is possible from wind and thus help them ?

**The Honourable Dr. B. R. Ambedkar :** As I said it depends upon how much wind there is in any particular area.

**Prof. N. G. Ranga :** There are meteorological experts and it ought to be possible for them to work out some plans and see how much power can be derived by utilising wind in different parts of the country ?

**The Honourable Dr. B. R. Ambedkar :** Yes ; we have considered that.

# 472

## * Demobilised Military Officers in Civil Employ

**214. Seth Sukhdev :** Will the Honourable the Labour Member be pleased to state how many demobilised military officers have been taken in civil employment under the Central Government in various Department during the last six months ?

**The Honourable Dr. B. R. Ambedkar :** The information asked for is being collected and will be communicated to the Honourable Member when ready.

●●●

*Legislative Assembly Debates (Central), Vol. IV of 1946,12th April 1946, p. 2904.

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# ERRATA

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*After the cut motion of Mr. Deputy President*

"That the demand under the head 'Geological Survey' be reduced by Rs. 100 ".

*Insert the following :*

**The Honourable Sir Jeremy Raisman** (Finance Member): Motion moved.

"That a sum not exceeding Rs. 12,62,000 be granted to the Governor General in Council to defray the charges which will come in course of payment during the year ending the 31st day of March, 1946, in respect of 'Geological Survey ' ".

| Page | Line | Incorrect | Correct |
|---|---|---|---|
| 289 | 33 | Voordin | Voorduin |
| 362 | 14 | permision | permission |
| 388 | 3 | Inskipt | Inskip |
| 480 | 16 | Workman's | Workmen's |
| 761 | 24 | Mr. shiva Rao | Mr. Shiva Rao |